

SHORELINE MANAGEMENT MASTER PROGRAM

CLARK COUNTY, WASHINGTON

August 1974

Prepared by the Clark County Citizen Advisory Committee for Shoreline Management in cooperation with the Regional Planning Council of Clark County.

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CHAPTER I

INTRODUCTORY COMMENTS AND ACKNOWLEDGEMENTS

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INTRODUCTORY COMMENTS AND ACKNOWLEDGEMENTS

This introduction is intended to provide background information to present and future citizens of Clark County regarding the authority and method by which this Shoreline Master Program has been developed.

The Washington State Legislature adopted the Shoreline Management Act of 1971 to provide for the management of Washington shorelines by planning for and fostering all reasonable and appropriate uses in a manner intended to promote and enhance the public interest. The Act constituted a legislative alternative to a proposed – and somewhat more restrictive – voter initiative. Although the legislative act became effective on June 1, 1971, both measures were placed on the general election ballot of November 1972 – providing voters with the choice of approving either of the two laws, or rejecting both. A significant majority of Washington voters supported shoreline management, and the legislative alternative was ratified at the polls.

The Shoreline Management Act established a cooperative management effort between local government and the Department of Ecology. This placed three significant burdens on local government:

- (1) Establishment of a system for the administration and enforcement of a permit requirement for shoreline development;
- (2) Completion of a comprehensive inventory of shorelines falling under jurisdiction of the Act;
- (3) Development of a master program for the regulation of shoreline uses.

The first two items above have been completed within the last two years. This document culminates the initial, though continuing, local obligation by providing specific criteria for the management of shorelines within Clark County.

The Shoreline Management Act and supplementary state guidelines provided for development of the Master Program through utilization of an interdisciplinary approach, with emphasis on public involvement. A Citizen Advisory Committee for Shoreline Management was therefore established for the preparation of this Master Program. The Committee was appointed by the Board of Clark County Commissioners, and was represented also by appointees from the City of Vancouver, Camas, Washougal and the Town of La Center (see Appendix A).

Although it would be impossible to list the names of individuals contributing to the development of the Master Program, the following organizations are specifically identified because of their significant contributions to the Clark County Citizens Advisory Committee for Shoreline Management:

U.S. Department of Interior:

Water Resources Decision

U.S. Department of Agriculture:

Soil Conservation Service

Gifford Pinchot National Forest

U.S. Army Corps of Engineers

State of Washington:

Department of Ecology

Department of Fisheries

Department of Game

Department of Highways

Department of Natural Resources

State Parks and Recreation Commission

Portland State University

Clark College

Oregon State University

Clark County Department of Parks and Recreation

Clark County Department of Public Works

Washougal Parks Board

Camas-Washougal Chamber of Commerce

Port of Camas-Washougal

Port of Vancouver

Northwest Steelheaders Association

Public Utility District of Clark County

Pacific Power and Light Company

League of Women Voters

Clark County Homebuilders Association

Clark County Development Council

Vancouver Wildlife League

Industrial Forestry Association

Southwest Washington Environmental Action Team

Crown Zellerbach Corporation

El Paso Natural Gas Company

Weyerhaeuser Company

Camas Post-Record

Daily Columbian

CHAPTER II

SCOPE & APPLICABILITY

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GENERAL

The Shoreline Management Act of 1971 (Chapter 90.58 Revised Code of Washington) set forth policy for state and local management of shoreline areas. This policy is reiterated in existing local regulations, and in the ordinance proposed to supersede these regulations, which comprises Chapter III of this Master Program. The Act also provided for the preparation, by the Department of Ecology, of guidelines to assist local government in administering provisions of this state legislation (Final Guidelines, Chapter 173-16, Washington Administrative Code).

The most immediate ramification of the Shoreline Management Act, however, was the directive to local governments to require permits for significant projects occurring along the shoreline. In order to identify the types of projects for which this permit system is intended, the Act first defines the term “development” (90.58.030(3)(e) RCW):

“Development” means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the water over-lying land subject to this chapter at any state of water level.

It then mandates that a shoreline permit shall be required for any such development of a “substantial” nature as defined below – followed by a list of specific exemptions to this permit requirement (90.58.030(3)(e) RCW):

“Substantial Development” shall mean any development of which the total cost or fair market value exceeds one thousand dollars, or any development which materially interferes with the normal public use of the water or shorelines of the state; except that the following shall not be considered substantial developments for the purpose of this chapter:

(PERMIT EXEMPTIONS)

1. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;

2. Construction of the normal protective bulkhead common to single family residences;
3. Emergency construction necessary to protect property from damage by the elements;
4. Construction of a barn or similar agricultural structure on wetlands;
5. Construction or modification of navigational aids such as channel markers and anchor buoys;
6. Construction on wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family, which residence will not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter;
7. Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of a single family residence, the cost of which does not exceed two thousand five hundred dollars;¹
8. Any project with a certification from the Governor pursuant to Chapter 80.50 RCW.²

Shoreline permits are thus officially known as “Shoreline Management Substantial Development Permits”. The Act specifically states that such permits shall be granted only when the proposal is consistent with the policy of the Act, the state guidelines, and the local master program. These regulations, however, are not limited only to “substantial developments”, but apply also to projects for which no permit is issued (90.58.140 (1) RCW):

No development shall be undertaken on the shorelines of the state except those which are consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, regulations or master program.

All shoreline activities, then, must be conducted in conformance with the provisions of this Master Program. The exemptions listed above are considered developments, which do not require a shoreline permit, but which must comply not only with the spirit of the Act but also with the Master Program regulations.

¹ This legislative amendment (Senate Bill No. 2833) to the Shoreline Management Act regarding private dock construction became effective July 16, 1973.

² This permit exemption is found in the Shoreline Management Act at Chapter 90.58.140(8) RCW, and in Washington Administrative Code (WAC) 173-14-040(8) as worded above. It refers specifically to the Thermal Power Plant citing (Chapter 80.50 RCW), preempting the certification and regulation of thermal power plants.

In order to effectuate the permit system and other provisions of the Shoreline Management Act the legislature found it necessary to establish criteria for determining exactly which shorelines should fall subject to such a management program. The Act thus defines these shorelines as follows (90.58.030(2)(d) RCW):

“Shorelines” means all of the water areas of the state, including reservoirs, and their associated wetlands, together with lands under-lying them; except (i) shorelines of state-wide significance; (ii) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (iii) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes;

This definition must be closely analyzed before the scope and applicability of the Act (and, hence, of this Master Program) can be fully acknowledged. First it can be stated in general terms that the Act applies to (1) all lakes 20 acres or greater in size; and (2) all streams with a mean annual flow of 20 cubic feet per second or more. An important distinction, however, is made between these shorelines and those larger bodies of water defined as “shorelines of state-wide significance”. As it applies to Clark County, this term includes: (1) lakes and/or reservoirs with a surface acreage of one thousand acres or more measured at the ordinary high water mark (90.58.030(e)(iv) RCW); (2) rivers downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more (90.58.030(e)(v)(A) RCW); and (3) wetlands associated with such water bodies (90.58.030(e)(vi) RCW).

This distinction is reflected primarily by the policy of Shoreline Management Act, which mandates that local master programs provide for uses on shorelines of state-wide significance in a manner of preference intended to:

1. Recognize and protect the state-wide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Result in long-term over short-term benefit;
4. Protect the resources and ecology of the shoreline;
5. Increase public access to publicly owned areas of the shorelines;
6. Increased recreational opportunities for the public in the shoreline.

It should be further noted that the management of shorelines and shorelines of state-wide significance is not limited to the water areas or to the underlying beds, but includes

“wetlands” associated with these lakes and streams. Since this key term establishes the extent of adjacent land areas falling subject to the management program, its definition must also be emphasized (90.58.030(2)(f) RCW):

“Wetlands” or “wetland areas” means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; and all marshes, bogs, swamps, floodways, river deltas, and flood plains associated with the streams, lakes and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the Development of Ecology.

In other words, the specific provisions of the Shoreline Management Act apply not only to those land areas situated within 200 horizontal feet of the ordinary high water mark (which is generally identified as the line of vegetation along a shoreline), but also to swamp areas and flood plains associated with the water bodies – an area which may extend well beyond 200 feet. This definition is particularly significant since extensive flood plains exist throughout the county, and are also found within each of the Clark County municipalities for which a shoreline management program is necessary – Vancouver, Camas, Washougal, La Center and Ridgefield. The criteria for designating wetlands along such flood plains is offered in Chapter 173-22-040(2) of the Washington Administrative Code (WAC) as follows:

- (a) On river deltas and flood plains where no dikes exist, the wetland areas shall be from toe to toe of the valley floor or two hundred feet from the ordinary high-water mark, whichever is greater, except in those limited instances where the designation of such an area would be contrary to the policy of Chapter 90.59 RCW.
- (b) On river deltas and flood plains where dikes have been placed by governmental agencies for public benefit and reasonably protect against floods, the wetlands will be designated as follows:
 - i. Where the dike is located within two hundred feet of the ordinary high-water mark, the wetlands shall be that area within two hundred feet of the ordinary high-water mark.
 - ii. Where the dike is located more than two hundred feet beyond the ordinary high-water mark, the wetlands shall be that area lying between the apex of the dike and the ordinary high-water mark.

Based upon the foregoing criteria and definitions, the Department of Ecology identified all shorelines and shorelines of state-wide significance, including their associated

wetlands, and delineated the same upon maps provided to local governments. According to WAC 173-22-050, these designations are to be reviewed and revised as may be appropriate by the Department of Ecology at least once in every five-year period, beginning June 1, 1976, or as early before that date as deemed necessary by that agency.

The total of all shorelines and shorelines of state-side significance are referred to in the Shoreline Management Act as “shorelines of the state”. All such shorelines of the state within Clark County are herein known as “shorelines of the county”; those under jurisdiction of the various municipalities are cited in several ordinances as “shorelines of the city” for that particular entity. Figure 1 provides a generalized overview of all shorelines of the county, including those within the corporate limits of municipalities.

CLARK COUNTY LAKE AND STREAM “SHORELINES”

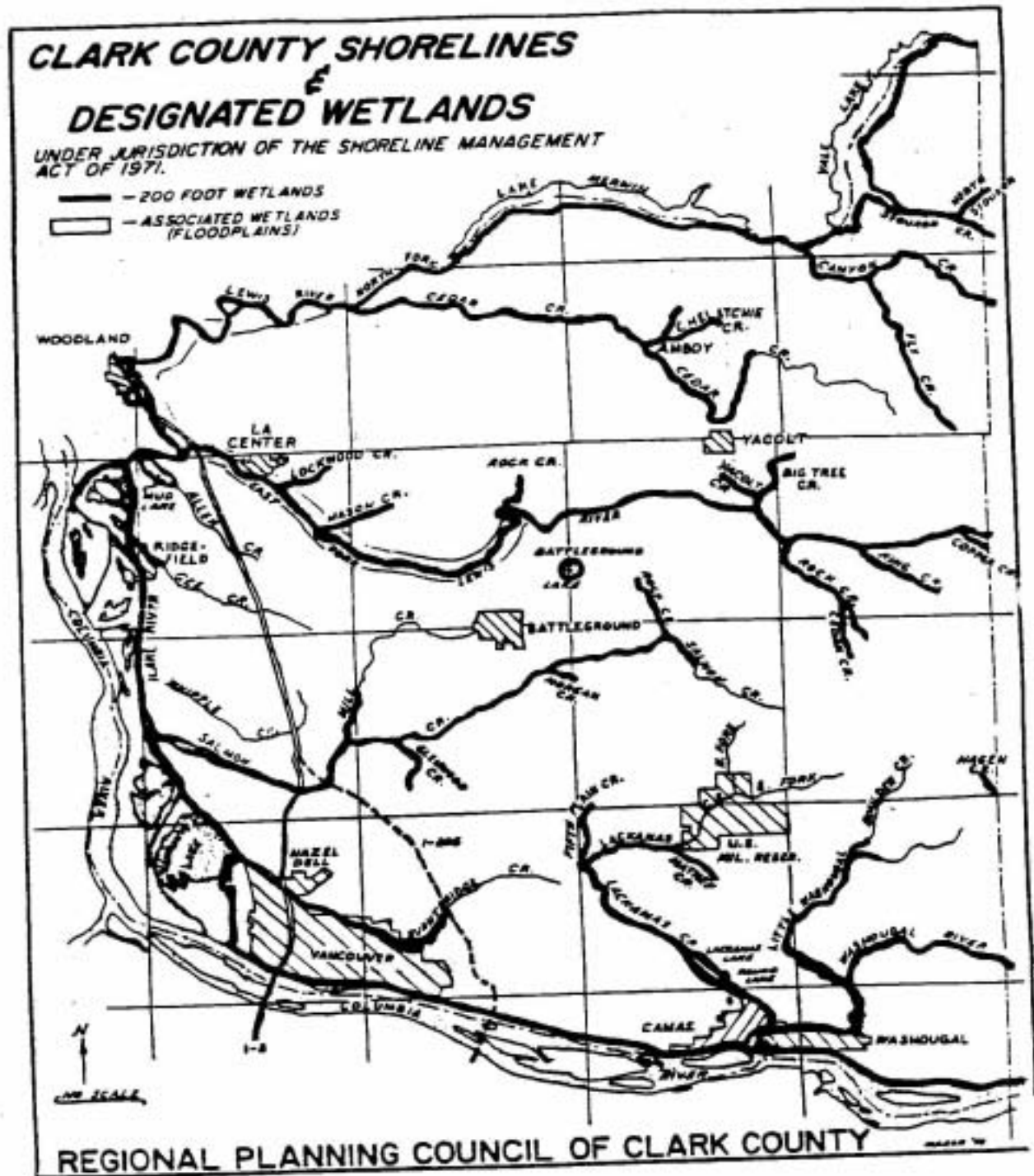
Referring back to the definition of shorelines – i.e., those exclusive of shorelines of state-wide significance – the following listed lakes and streams are officially designated “shorelines”, and wetlands of segments thereof situated within either Clark County or the municipalities for which this Master Program is developed are subject to the specific provisions contained herein.

Lake Shorelines:

- Round Lake
- Lacamas Lake
- Battle Ground Lake
- Horseshoe Lake

In addition to the four lakes listed above, many other named and unnamed lakes within Clark County fall under jurisdiction of shoreline management, but are considered associated wetlands of other water bodies and, as such, are not here identified. The many unnamed impoundments along Salmon Creek, for example, are associated wetlands within the flood plain of that stream. Several other lakes are situated within the flood plain of the Columbia River, and are identified in the next section of this chapter.

Clark County Shorelines & Designated Wetlands Map



Stream Shorelines:

The following rivers and creeks, listed by drainage basin and with tributaries indented, constitute streams shorelines within Clark County.

Washougal River – From the Skamania County line (Sec. 36, T2N, R4E) downstream to its confluence with the Little Washougal River (Sec. 5, T1N, R4E).

Hagen Creek – from its confluence with unnamed creek (Sec. 36, T3N, R4E) downstream to Skamania County line (Sec. 1, T2N, R4E).

Little Washougal River – from the confluence of Boulder Creek and East Fork Little Washougal River (Sec. 8, T2N, R4E) downstream to mouth on Washougal River (Sec. 5, T1N, R4E).

East Fork Little Washougal River – from its confluence with Jones Creek (Sec. 9, T2N, R4E) downstream to mouth at confluence with Boulder Creek (Sec. 8, T2N, R4E).

Boulder Creek – from its confluence with unnamed creek (Sec. 9, T2N, R4E) downstream to mouth at confluence with East Fork Little Washougal River (Sec. 8, T2N, R4E).

Lacamas Creek – from Military Reservation Boundary (Sec. 9, T2N, R3E) downstream through Lacamas Lake and Round Lake to Camas City Limits at crossing of 3rd Avenue (Sec. 12, T1N, R3E).

Fifth Plain Creek – from its confluence with Shanghai Creek (Sec. 6, T2N, R3E) downstream to mouth at Lacamas Creek (Sec. 9, T2N, R3E).

Burnt Bridge Creek – from the I-205 highway crossing (Sec. 16, T2N, R2E) downstream to mouth at Vancouver Lake (Sec. 9, T2N, R1E), including all lands situated within the 100-year frequency flood plain as defined by the U.S. Army Corps of Engineers.

Salmon Creek – from its confluence with unnamed creek (NW ¼ Sec. 10, T3N, R3E) downstream to Burlington Northern rail line crossing (Sec. 19, T3N, R1E) including all lands situated within the flood plain as defined in WAC 173-22-040(2)(a).

Rock Creek – from its intersection with the east-west center line of Sec. 33, T4N, R3E downstream to mouth at Salmon Creek (Sec. 4, T3N, R3E).

Morgan Creek – from the crossing of NE 167th Avenue (SE ¼ Sec. 12, T3N, R2E) downstream to mouth at Salmon Creek (Sec. 12, T3N, R2E).

Glenwood Creek – from the crossing of NE 119th Street (Sec. 29, T3N, R2E) downstream to mouth at Salmon Creek (Sec. 20, T3N, R2E).

Mill Creek – from its confluence with unnamed creek (SW ¼ Sec. 7, T3N, R2E) downstream to mouth at Salmon Creek (Sec. 24, T3N, R1E)

Gee Creek – From its confluence with unnamed creek (Sec. 19, T4N, R1E) downstream to Burlington Northern rail line crossing (Sec. 13, T4N, R1W), excluding federally owned lands within the Ridgefield National Wildlife Refuge.

East Fork Lewis River – from Gifford Pinchot National Forest Boundary (Sec. 24, T4N, R4E) downstream to confluence with Mason Creek (Sec. 14, T4N, R1E), including all lands situated within the flood plain as defined in WAC 173-22-040(2)(a).

Copper Creek – from Skamania County line/Gifford Pinchot National Forest Boundary (Sec. 25, T4N, R4E) downstream to mouth at Lewis River East Fork (Sec. 24, T4N, R4E).

King Creek – from its confluence with unnamed creek (Sec. 26, T4N, R4E) downstream to mouth at Lewis River East Fork (Sec. 21, T4N, R4E).

Rock Creek – from its confluence with unnamed creek (Sec. 9, T3N, R4E) downstream to mouth at Lewis River East Fork (Sec. 19, T4N, R4E).

Cedar Creek – from its confluence with Cold Creek (Sec. 8, T3N, R4E) downstream to mouth at Rock Creek (Sec. 32, T4N, R4E).

Big Tree Creek – from its confluence with Big Creek (Sec. 6, T4N, R4E) downstream to mouth at Lewis River East Fork (Sec. 13, T4N, R3E).

Yacolt Creek – from its intersection with north-south center section line of Sec. 11, T4N, R3E downstream to mouth at Big Tree Creek (Sec. 13, T4N, R3E).

Rock Creek – from its confluence with unnamed creek (Sec. 2, T4N, R2E) downstream to mouth at Lewis River East Fork (Sec. 14, T4N, R2E).

Mason Creek – from its confluence with unnamed creek (Sec. 8, T4N, R2E) downstream to mouth at Lewis River East Fork (Sec. 14, T4N, R1E).

Lockwood Creek – from its confluence with unnamed creek (Sec. 1, T4N, R1E) downstream to the south line of the SE ¼ of Sec. 2, T4N, R1E.

Cedar Creek – from its confluence with unnamed creek (Sec. 24, T4N, R3E) downstream to County Road No. 20 (Sec. 12, T4N, R1E).

Chelatchie Creek – from its intersection with the north-south center line of Sec. 14, T5N, R3E downstream to mouth at Cedar Creek (Sec. 16, T4N, R3E).

Unnamed Creek – (“North Fork Chelatchie Creek”) from the crossing of Eaton Road (Sec. 15, T5N, R3E) downstream to mouth at Chelatchie Creek (Sec. 16, T5N, R1E).

Canyon Creek – from Skamania County line (Sec. 12, T5N, R4E) downstream to inlet of Lewis River at the south line of Sec. 31, T6N, R4E, excluding that portion which flows through Gifford Pinchot National Forest (Sec. 3, T5N, R4E).

Fly Creek – from its confluence with unnamed creek (Sec. 1, T4N, R4E) downstream to mouth at Canyon Creek (Sec. 4, T5N, R4E).

Siouxon Creek – from Skamania County line (Sec. 36, T6N, R4E) downstream to mouth of Siouxon “Bay” near the west line of the east ½ of the west ¼ of Sec. 26, T6N, R4E.

North Siouxon Creek – from Skamania County line (Sec. 25, T6N, R4E) downstream to mouth at Siouxon Creek (Sec. 25, T6N, R4E).

CLARK COUNTY "SHORELINES OF STATE-WIDE SIGNIFICANCE"

Because all lake shorelines of state-wide significance within Clark County are in some manner associated with stream shorelines of state-wide significance, the listing of these lakes and streams is not separated as was done in the previous section. Also, many of the following streams and lakes do not meet the size criteria for shorelines of state-wide significance, but because of their location on flood plains, or their proximity to shorelines of state-wide significance, these smaller shorelines (or described segments thereof) are necessarily designated as being of state-wide significance. An attempt is made to distinguish between the two by listing in capital letters those water bodies large enough to constitute shorelines of state-wide significance, while offering in lower case letters those shorelines or associated wetlands which are of state-wide significance only because of location rather than size. Indentations on this listing reflect wetlands associated with the parent water body or other geographical features.

The following lakes, streams and wetland comprise shorelines of state-wide significance within Clark County:

LEWIS RIVER – from Skamania County line (Sec.36, T7N, R4E) downstream to mouth at Columbia River (Sec. 2 and 11, T4N, R1W).

YALE LAKE, including that finger of the lake commonly known as Siouxon Bay extending to the mouth of Siouxon Creek near the west line of the east ½ of the west ¼ of Sec. 26, T6N, R4E.

Canyon Creek mouth, an inlet of the Lewis River extending to the south line of Sec. 31, T6N, R4E.

LAKE MERWIN (T6N, R2E and R3E)

Cedar Creek mouth, extending to County Road No. 20 or 200 feet from the ordinary high water mark of Lewis River, whichever distance is greater (Sec. 12, T5N, R1E and Sec. 7, T5N, R2E).

Mud Lake (Sec. 6, T4N, R1E) and all other associated wetlands situated within the 100-year frequency flood plain of the Lewis River as defined by the U.S. Army Corps of Engineers, extending from River Mile 0 to River Mile 14.5 (Sec. 12, T5N, R1E).

EAST FORK LEWIS RIVER – from mouth of Mason Creek (Sec. 14, T4N, R1E) downstream to the mouth at Lewis River (Sec. 5, T4N, R1E and Sec. 32, T5N, R1E).

Lockwood Creek – from the south line of the SE ¼ of Sec. 2, T4N, R1E, downstream to mouth at Lewis River East Fork (Sec. 11, T4N, R1E) and all other associated wetlands situated within the flood plain of the Lewis River East Fork downstream from mouth of Mason Creek as defined by WAC 173-22-040(2)(a).

WASHOUGAL RIVER – from mouth of Little Washougal River (Sec. 5, T1N, R4E) downstream to mouth at Columbia River (Sec. 11, T1N, R3E).

Lacamas Creek – from 3rd Avenue crossing (Sec. 12, T1N, R3E) downstream to mouth at Washougal River (Sec. 11 and 12, T1N, R3E), and all other associated wetlands situated within the flood plain of the Washougal River downstream from the mouth of Little Washougal River as defined in WAC 173-22-040(2)(a).

COLUMBIA RIVER – from Skamania County line (Sec. 24, T1N, R4E) downstream to Cowlitz County Line (Sec. 10 and 11, T4N, R1W), including those associated wetlands situated within the Columbia River flood plain as defined by the U.S. Army Corps of Engineers and/or in WAC 173-22-040(2), including but not limited to the following:

Reed Island (T1N, R4E)

Camas Slough, Lady Island and Sand Island (T1N, R3E)

VANCOUVER LAKE (T2N and T3N, R1E) and all ponds, sloughs, lake canals, streams, islands and lands situated in an area generally described as lying westerly of the Fruit Valley dike (Sec. 21, T2N, R1E) along the southerly margin of Vancouver Lake, and westerly of the Burlington Northern rail line from the mouth of Burnt Bridge Creek (Sec. 9, T2N, R1E) extending northerly to the Lewis River (Sec. 1, T4N, R1W) including but not limited to:

Buckmire Slough

Caterpillar Island

Shillapoo Lake (drained)

*Lake River – from head at Vancouver Lake (Sec. 31 and 32, T3N, R1E) downstream to mouth at Columbia River (Sec. 10, T4N, R1W).

Salmon Creek – from BN rail line crossing (Sec. 19, T3N, R1W) downstream to mouth.

Whipple Creek (Sec. 12, T3N, R1E), Flume Creek (Sec. 31, T4N, R1E) and two unnamed streams (Sec. 30, T4N, R1E) all undesignated tributaries of less than 20 c.f.s. M.A.F., from their backwaters east of BN rail line downstream to mouths.

Curtis Lake

Round Lake

Post Office Lake

Green Lake

*Campbell Lake

*Hathaway Lake (Rest Lake)

*Bower Slough

*Quigley Lake

Bachelor Island

Widgeon Lake

Canvasback Lake

Long Lake

*Bachelor Island Slough

*Gee Creek – from BN rail line crossing (Sec. 13, T4N, R1W)
downstream to mouth near confluence of Columbia and Lewis Rivers
(Sec. 11, T4N, R1W).

*Carty Lake

Lancaster Lake

Squaw Island

*Land and water bodies situated within the exterior boundaries of the Ridgefield National Wildlife Refuge are not subject to jurisdiction of the Shoreline Management Act, except those leased by the federal government to other persons, and non-federal lands contained therein (WAC 173-22-070).

APPLICATION OF MASTER PROGRAM

All uses proposed along shorelines of the county are subject to compliance with this Master Program. The following chapters are intended to be utilized by elected and appointed officials of local government to effectively manage these shorelines, as well as by members of the public for development standards in the following manner:

1. SHORELINES

- a. Substantial developments proposed for shoreline locations require a Substantial Development Permit, and are subject to the strict provisions of the Shoreline management ordinance. (Chapter III of this program);
 - (1) Substantial developments must be consistent with the policy of the ordinance, the policy of the Shoreline Management Act and with the final state guidelines.
 - (2) Substantial developments must be in conformance with all of the following.
 - (a) Long range Master Program Element Goals (Chapter IV);
 - (b) Objectives and general policies of the designated Shoreline Environments (Chapter V);
 - (c) Policy Statements for Shoreline Use Activities (Chapter VI).
 - (3) Substantial developments shall comply with the Use Activity Regulations (Chapter VI);
 - (4) Relief from the above requirements can be sought through variance and conditional use provisions of the ordinance (Section 6), but such relief must be obtained jointly with a Substantial Development Permit.
- b. Developments proposed for shoreline locations do not require a permit for substantial development, but are subject to the provisions of this Master Program:

- (1) Developments must be consistent with the policy of the ordinance, the policy of the Shoreline management Act, and with the final state guidelines.
- (2) Developments are expected to conform with the goals, objectives and the general and specific policies set forth in this Master Program;
- (3) Developments shall comply with the Shoreline use Activity Regulations;
- (4) Relief from the above requirements can be sought through applications for variances or conditional use approvals as provided for in Section 6 of the Shoreline management Ordinance.

2. SHORLINES OF STATE-WIDE SIGNIFICANCE

All developments and substantial developments proposed along shorelines of state-wide significance shall comply with the requirements as outlined in items 1a and 1b above, respectively. In addition, all such proposals must be consistent with the policy regarding shorelines of state-wide significance, as documented at: (a) page 5 of this chapter; (b) Section 3, Shoreline management Ordinance; (c) Chapter 90.58.020 RCW; and (d) Chapter 173-16-040 (5) WAC. In the review of activities proposed along shorelines of state-wide significance, considerable weight shall be accorded such policy.

CHAPTER III

SHORELINE MANAGEMENT ORDINANCE

Note: The original Clark County Shoreline Management Ordinance (Dec. 1971) was modified and incorporated into the Shoreline Master Program to occupy pages 17 thru 27; adoption of a new County-wide zoning code in 1980 resulted in an abbreviated version of this implementing ordinance (following here on pages 17, 18, and 19), thereby eliminating pages 20 through 27 of the Master Program.

18.330 Shoreline Combining District (SL).

18.330.010 Purpose. The purpose of this Chapter is to implement the policies and procedures set forth by the Shoreline Management Act of 1971. Provisions of the following statutes of the State of Washington applicable to Clark County are hereby adopted by reference:

- A. RCW 90.58 Shoreline Management Act.
- B. WAC 173-14 Permits for Developments on Shorelines of the State.
- C. WAC 173-16 Guidelines for Shoreline Master Programs.
- D. WAC 173-18 Streams and Rivers Constituting Shorelines of the State.
- E. WAC 173-19 State Shoreline Master Program
- F. WAC 173-20 Lake Constituting Shorelines of the State.
- G. WAC 173-22 Designations of Wetlands Associated with Shorelines of the State.

18.330.020 District Boundaries. The Shoreline Combining District shall include those County land and water areas designated as shorelines of the state by the Department of Ecology in accordance with the authority, definitions, criteria, listings, and map delineations provided in RCW 90.58 and Chapters 173-18, 173-20, and 173-22 of the Washington Administrative Code. Areas so designated shall be known as shorelines of the County, comprising districts to be combined with zoning that has been applied to such areas.

18.330.030 Uses, Standards, and Permit Requirements. All uses permitted outright or otherwise in the zone district with which this District is combined are allowed, subject to shoreline permit requirements. Standards governing such uses are stipulated in the form of policies and regulations of Chapter 173-19-140 WAC, the Clark County Shoreline Master Program.

Unless specifically exempted by RCW 90.58 or WAC 173-14, no project or activity shall be undertaken on shorelines of the County without first obtaining a substantial development permit. Under the Master Program, shorelines of the County are further designated into urban, rural, conservancy, or natural shoreline environments, in which substantial developments are identified as permitted or

conditional uses. Substantial developments not identified as permitted require a shoreline conditional use permit. Projects or activities deviating from the specific regulations of the Master Program require a shoreline variance permit. Exempt projects must comply with the provisions of the Master Program.

18.330.040 Shoreline Permit Procedures. Administration of the shoreline permit system shall be carried out by the Director of Planning in accordance with the procedures, time lines, and other requirements of Chapter 173-14 WAC. In addition, the following local procedures shall apply exclusively to all requests for shoreline substantial development, conditional use, and variance permits:

- A. There is hereby created a Shoreline Management Review Committee (SMRC), consisting of the Director of Public Works (Chairman), Director of Planning, and the Director of Parks and Recreation, or their designated representatives. The Committee shall convene as often as necessary on the call of the Chairman to review shoreline requests and permit applications for which the notice of application procedures of WAC 173-14-070 have been completed. After considering the application and other relevant material, SMRC may, by majority vote, take one of the following actions: (1) approve issuance of the permit; (2) approve the permit subject to certain specified conditions; (3) formulate recommendations on the application to be forwarded to the Planning Commission and/or Board of Commissioners for action.
- B. To the fullest extent possible, the shoreline permit process shall be integrated with other planning and licensing procedures in this Title. Shoreline applications may accompany another related application through the review process, and interested persons may present views thereon, but no formal public hearing is required. The Planning Commission and Board of Commissioners may accept or modify recommendations forwarded by SMRC, and either approve or deny issuance of the permit.
- C. Issuance of shoreline permits approved by SMRC, the Planning Commission, or Board of Commissioners shall be the responsibility of the Director of Public Works. Appeals to any final shoreline permit decision shall be governed by RCW 90.58.180.

18.330.050 Changes, Amendments, or Revisions. Amendments to this Chapter shall be processed as provided by Chapter 18.503. Revisions to shoreline permits shall be processed in accordance with WAC 173-14-064 and Section 18.330.040, above. Amendments or revisions to the Master Program shall be governed by WAC 173-19-060. Changes in wetland boundaries shall be made only in accordance with WAC 173-22-040 through WAC 173-22-055.

CHAPTER IV

MASTER PROGRAM ELEMENT GOALS

CHAPTER IV

PLAN ELEMENT GOALS FOR SHORELINE MANAGEMENT

Consistent with provisions of the Shoreline Management Act (90.50.100(2) RCW), the Master Program addresses the broad “Elements” of human activity and concerns which determine the quality of shoreline resources. These elements are approached in the form of general, long-range statement of goals. The comprehensive goal statements are intended to provide direction toward which effort should be funneled. The Element Goals provided below shall be considered applicable to all activities proposed upon shorelines of the county in the same manner as is the policy of the Shoreline Management Act.

Economic Development Element

GOAL: To encourage the maintenance and enhancement of existing industrial and commercial activities along the shoreline in such a manner that the land-water interface be utilized for productive purposes while minimizing adverse effects to the environment; and to encourage appropriate shoreline locations for all such new developments of a water-dependant nature.

Public Access Element

GOAL: To improve the quality of existing points of public access and promote the acquisition or designation of additional shoreline areas for public access, while assuring that all such sites are appropriate and safe for public use, and that improvements and utilization will not result in detrimental effects on these natural sites or adjacent properties.

Circulation Element

GOAL: To recognize existing transportation systems of shoreline areas as a means of providing access to other shoreline use activities; and, when additional circulation systems are proposed for shoreline areas, to assure that these facilities require such locations and are developed with minimum disturbance to the natural character of the shoreline.

Recreational Element

GOAL: To promote the continued public acquisition of appropriate shoreline areas for recreational opportunities, and to influence development of these areas in a manner which will preserve the natural characteristics of the shoreline.

Shoreline Use Element

GOAL: To encourage a pattern of land and water uses compatible with the character of shoreline environments and distributed so as to avoid undesirable concentrations of intense uses, and giving preference to uses which are dependent upon shoreline locations.

Conservation Element

GOAL: To provide for management of natural resources in shoreline areas by means which will assure the preservation of non-renewable resources, including unique, scenic and ecologically sensitive features, while allowing sound utilization of renewable resources in a manner consistent with the public interest.

Historical/Cultural Element

GOAL: To identify, protect and restore the cultural, historical, scientific and other educationally valuable shoreline sites and buildings and, when appropriate, to promote the acquisition of these features for public domain.

Shoreline Improvement Element

GOAL: To encourage the restoration of degraded shoreline areas to conditions of natural environmental quality, and promote the revitalization of abandoned shoreline facilities for practical and productive activities.

Flood Plain Analysis Element

GOAL: To assess the effects on flood plains and drainage corridors resulting from development of adjacent lands, and to convey the realization that flood plains are undesirable building sites, that flood control efforts are expensive and too often ineffective against unanticipated future events, and to encourage a nature of land utilization in flood plains that will minimize the flood hazard, such as recreation, wildlife habitat, agricultural use, open space, pastureland and woodland.

CHAPTER V

SHORELINE ENVIRONMENTS

CHAPTER V

SHORELINE ENVIRONMENTS

In order to plan and effectively manage shoreline resources and to implement adopted goals and policies for shoreline management, four shoreline environmental designations are provided for in this Master Program:

1. Urban Environment
2. Rural Environment
3. Conservancy Environment
4. Natural Environment

The purpose of these designations is to provide a uniform basis for applying management criteria within distinctively different shoreline areas and with different objectives regarding their use and development. Environmental designations for shorelines of the county, as adopted by the Shoreline Management Citizen Advisory Committee of Clark County, the City of Vancouver, the Town of Ridgefield and the City of Washougal, are illustrated on maps found at the end of this chapter.

URBAN ENVIRONMENT

A. Definition

The Urban Environment is a shoreline area of high intensity land use including residential, commercial and industrial development. This environment is particularly suitable to those areas presently subjected to extremely intensive use pressure, as well as areas planned to accommodate urban expansion. Shorelines planned for future urban expansion should present few biophysical limitations for urban activities and not have a high priority for designation as an alternative environment.

B. Objective

To enhance the waterfront to ensure maximum public use.

C. Designation Criteria

1. Shoreline areas of high density commercial and industrial use.
2. Shoreline areas of lower density planned to accommodate future development.

3. Shoreline areas used or designated for high intensity recreational uses.
4. Shoreline areas used for port activities.
5. Shoreline areas that have urban services and are surrounded by urban uses.

D. General Policies

1. Priority should be given to water dependent uses.
2. Priority should be given to developments locating in existing high density urban environments.
3. Emphasis should be given to developing visual and physical access to the shoreline in this environment.
4. Multi-purpose use of the shoreline should be encouraged.
5. Development should not restrict the use of planned or existing public open space areas.
6. Aesthetic considerations should be promoted by means of sign control regulations, architectural standards, planned unit developments, etc.
7. Redevelopment of substandard areas should be encouraged to accommodate future shoreline dependent uses.
8. No development should be allowed to significantly degrade the environment.

E. Use Limitations

1. Permitted Uses: The following shoreline uses are permitted within the Urban Environment, but require a Substantial Development Permit when applicable:
 - a. Ports and Water Related Industry
 - b. Road and Railroad Construction
 - c. Utilities
 - d. Commercial Developments
 - e. Signs and Outdoor Advertising
 - f. Residential Developments
 - g. Piers
 - h. Bulkheads
 - i. Recreation

2. Conditional Uses: All other shoreline uses proposed within the Urban Environment require a conditional use permit.

F. Urban Environment Shorelines of the County

1. Columbia River

a. Within the City of Washougal, from the southerly extension of 27th Street (Sec. 17, T1N, R4E) downstream into the City of Camas and through Camas Slough to the overcrossing of highway 14 (Sec. 10, T1N, R3E) and including all of Lady Island.

b. From easterly city limits of Vancouver (west ½ of SW ¼ Sec. 32, T4N, R2E) downstream to River Mile 102.5 opposite Mathews Point, and including those interior wetlands associated with the Columbia River and Vancouver Lake generally described as follows: from Mathews Point inland along private road to Lower River Road; southeasterly along Lower River Road to power line corresponding with Vancouver City Limits; northeasterly along power line to ordinary high water mark of Vancouver Lake inlet (NW ¼ of Sec. 16, T2N, R1E); northerly along O.H.W. mark of lake to mouth of Burnt Bridge Creek; and southerly along wetland delineation through Fruit Valley to Columbia River.

2. Washougal River

From the section line common to Sec. 5 and Sec. 8, T2N, R4E downstream to mouth at Columbia River/Camas Slough, including both banks within the City of Camas, Clark County and the City of Washougal except that portion along the south bank situated within the Washougal City Park in Sec. 8, T2N, R4E, and including the mouth of Lacamas Creek within the City of Camas.

3. Burnt Bridge Creek

a. From mile 6.4 above the mouth downstream to mile 5.4, based on stream miles as established by the U.S. Army Corps of Engineers and including associated flood plain.

b. From crossing of I-5 downstream to crossing of Alki Road.

4. Salmon Creek

a. From its intersection with the north-south center line of Sec. 12., T3N, R2E downstream to crossing of NE 142nd Avenue, including Morgan Creek from crossing of NE 167th Avenue downstream to mouth, an area commonly known as The Cedars (Planned Development).

b. From section line common to Sec. 24 and Sec. 25, T3N, R1E downstream to crossing of I-5.

5. Lake River

That portion along the east bank within the corporate limits of the Town of Ridgefield, including the associated flood plain.

6. East Fork Lewis River

That portion along the north bank within the corporate limits of the Town of LaCenter, including the associated flood plain.

7. Lewis River

From the Woodland bridge crossing downstream to the south end of I-5 crossing, including Horseshoe Lake.

RURAL ENVIRONMENT

A. Definition

The rural environment is a shoreline area characterized by intensive agricultural and recreational uses. It is an area having a high capability to support active agricultural practices and intensive recreational development. It is an area currently used for agricultural purposes, as well as having significant future agricultural potential.

B. Objectives

To alleviate pressures of urban expansion on prime farming land, function as a buffer between urban areas, maintain open space and allow recreational uses compatible with agricultural activity.

C. Designation Criteria

1. Shoreline areas used for agricultural purposes.
2. Shoreline areas which form natural buffer zones between urban areas.
3. Shoreline areas having soils generally classed as I or II under the agricultural capability classes of the Soil Conservation Service.
4. Shoreline areas designated for medium to high intensity recreational use.
5. Shoreline areas of underdeveloped land not planned for urban uses.
6. Shoreline areas of low density, with less than one house per acre.
7. Shoreline areas developed for residential purposes where the surrounding land is of rural character without most urban services.

D. General Policies

1. New developments are to reflect the rural character by limiting density, providing permanent open space, and maintaining building setbacks from the water.
2. Recreation access to the shorelines should be encouraged and where possible should be linked with non-motorized transportation routes.
3. Agricultural practices should minimize pollution resulting from pesticides, herbicides, fertilizers, erosion and feed lots.
4. Commercial and Industrial Development should not occur in areas of prime agricultural soil.
5. Agricultural operations should be conducted in a manner which will enhance the opportunities for shoreline recreation.

E. Use Limitations

1. Permitted Uses: The following shoreline uses are permitted within the Rural Environment, but require a Substantial Development Permit when applicable:
 - a. Agricultural Practices
 - b. Forest Management Practices
 - c. Road and Railroad Construction
 - d. Utilities
 - e. Recreation
 - f. Single Family Dwellings
2. Conditional Uses: All other shoreline uses proposed within the Rural Environment require a conditional use permit.

F. Rural Environment Shorelines of the County

1. Columbia River

- a. From the section line common to Sec. 23 and Sec. 24, T1N, R4E, downstream along the Corps of Engineers dike to the east margin of Cottonwood Beach a point situated 2,400 feet easterly of the Washougal City Limits in the NW ¼ of Sec. 21, T1N, R4E, but excluding Reed Island.
- b. From River Mile 102.5 near Mathews Point downstream to Cowlitz County line at mouth of Lewis River, including Vancouver Lake, Lake River and all interior lakes and associated wetlands situated upon the flood plain, and lying northerly of the previously described Urban Environment boundary and westerly of the Burlington Northern rail line crossing from mouth of Burnt Bridge Creek to Lewis River crossing (including backwater areas of Lake River tributary streams located east of BN rail line), exclusive of the following areas:
 - (1) Easterly banks of Vancouver Lake, Lake River and lower Salmon Creek between mouth of Burnt Bridge Creek and BN rail line crossing of Salmon Creek;
 - (2) Easterly bank of Lake River located within the corporate limits of the Town of Ridgefield.
 - (3) The Middle Lands, a knoll rising above flood elevation situated within portions of Sections 1, 2, 11 and 12, T4N, R1W.

2. Little Washougal River

From the power line crossing near the center of Sec. 17, T2N, R4E, downstream to mouth at Washougal River.

3. Lacamas Creek and tributaries

From Military Reservation Boundary (Sec. 9, T2N, R3E) downstream to westerly boundary of Lechtenberg Park (Sec. 20, T2N, R3E), including all of Fifth Plain Creek and Matney Creek under shoreline management jurisdiction.

4. Burnt Bridge Creek

From crossing of Royal Oaks Drive (Sec. 21, T2N, R2E) downstream to mile 6.4 above the mouth, including associated flood plain.

5. Salmon Creek and tributaries

- a. From confluence with unnamed creek (NW ¼ Sec. 10, T3N, R3E) downstream to north-south center line of Sec. 12, T3N, R2E, including Rock Creek from its intersection with east-west center line of Sec. 33, T4N, R3E downstream to mouth at Salmon Creek.
- b. From crossing of NE 142nd Avenue (Sec. 14, T3N, R3E) downstream to section line common to Sec. 24 and Sec. 25, T3N, R2E, including all associated flood plains and Glenwood Creek downstream from crossing of NE 119th Street.
- c. Mill Creek from its confluence with unnamed creek (Sec. 7, T3N, R2E) downstream to crossing of NE 50th Avenue.

6. East Fork Lewis River and tributaries

- a. From section line common to Sec. 9 and Sec. 10, T4N, R3E, downstream to mouth of Rock Creek (Sec. 14, T4N, R2E), including Rock Creek from its confluence with unnamed creek (Sec. 2, T4N, R2E) downstream to mouth of unnamed creek (NE ¼ Sec. 11, T4N, R2E) and continuing down east bank only to mouth of unnamed creek (Se ¼ Sec. 11, T4N, R2E).

- b. From crossing of SR 503 downstream to crossing of LaCenter bridge, including all associated flood plains.
 - (1) Mason Creek from its confluence with unnamed creek (Sec. 8, T4N, R2E) downstream to mouth.
 - (2) Lockwood Creek from crossing of County Road No. 42 downstream to mouth.
- c. North bank from west city limits of LaCenter, and both banks from west line of the east ¼ of Sec. 4, T4N, R1E downstream to mouth at Lewis River.

7. Cedar Creek and tributaries

From section line common to SE ¼ Sec. 26 and NE ¼ Sec. 35, T4N, R3E, downstream to crossing of County Road No. 20 near mouth (Sec. 12, T5N, R1E), including Chelatchie Creek from its intersection with the north-south center line of Sec. 14, T5N, R3E, downstream to mouth, and its unnamed tributary (North Fork Chelatchie Creek) from crossing of Eaton Road downstream to mouth.

8. Lewis River

- a. From its intersection with north-south center line of Sec. 12 T5N, R1E, downstream to Woodland bridge crossing including all associated flood plains.
- b. From south end of I-5 crossing (Sec. 30, T5N, R1E) downstream to confluence with East Fork Lewis River, including associated flood plain.
- c. From crossing of BN rail line (Sec. 1, T4N, R1W) downstream to Oregon State line in Columbia River, including associated flood plain which merges with Columbia River flood plain.

CONSERVANCY ENVIRONMENT

A. Definition

The conservancy environment is a shoreline area of sparse, scattered settlements, existing relatively free of urban activity. It is an area that, because of the biophysical characteristics, is intolerant of intended land uses. It is an area used primarily for diffuse recreation, timber harvesting on a sustained yield basis, and passive agricultural practices.

B. Objectives

1. To protect, conserve and manage existing natural resources, including historic, scientific, cultural and aesthetic areas.
2. To insure a continuous flow of public recreational opportunities.
3. To achieve sustained resource utilization.
4. To maintain the existing character of the environment.

C. Designation Criteria

1. Shoreline areas unsuitable for development due to severe biophysical limitations, such as:
 - a. Shoreline areas which have a flooding potential.
 - b. Shoreline areas which have a slope of 25% or greater.
 - c. Shoreline areas with soils that have poor drainage.
 - d. Shoreline areas subject to severe erosion.
 - e. Shoreline areas subject to landslides
2. Shoreline areas designated as timberlands under current use tax classifications.
3. Shoreline areas designated for low to medium intensity recreational uses.
4. Shoreline areas of historical significance.
5. Shoreline areas of high scenic value.
6. Shoreline areas of passive agricultural uses, such as range lands and pastures.
7. Shoreline areas which play an important part in maintaining the ecological balance of the region.

D. General Policies

1. The preferred uses are those which are non-consumptive of the physical and biological resources of the area.

2. The aesthetic character of the area should be maintained.
3. Public access and passive recreation are encouraged, but large concentrations of intensive use recreational facilities and equipment should be discouraged.
4. Density of residential development should be minimal.
5. In areas subject to flooding, permanent structures should be prohibited.
6. Structural flood control devices should be strongly discouraged.

E. Use Limitations

1. Permitted Uses: The following shoreline uses are permitted within the Conservancy Environment, but require a Substantial Development Permit when applicable:
 - a. Agricultural Practices
 - b. Forest Management Practices
 - c. Road and Railroad Construction
 - d. Utilities
 - e. Single Family Dwellings
2. Conditional Uses: All other shoreline uses proposed within the Conservancy Environment require a conditional use permit.

F. Conservancy Environment Shorelines of the County

1. Columbia River

- a. From Skamania County line downstream to section line common to Sec. 23 and Sec. 24, T1N, R4E.
- b. All of Reed Island, T1N, R4E
- c. From a point within the NW ¼ of Sec. 21, T1N, R4E situated 2,400 feet easterly of the city limits of Washougal, downstream to a point intersecting 27th Street extended southerly, an area commonly known as Cottonwood Beach.
- d. North bank of Camas Slough from highway 14 crossing downstream along Columbia River to the easterly city limits of Vancouver (W ½ of SW ¼ Sec. 32, T2N, R2E), including Sand Island.

2. Vancouver Lake and Lake River

Easterly banks from mouth of Burnt Bridge Creek (Sec. 9, T2N, R1E) northerly to BN rail line crossing of Salmon Creek (Sec. 19, T3N, R1E).

3. Washougal River and tributaries

- a. From Skamania County line downstream to section line common to Sec. 5 and Sec. 8, T1N, R4E, and that portion along the south bank situated within the Washougal City Park located in Sec. 8, T1N, R4E.
- b. Hagen Creek from its confluence with unnamed creek (Sec. 36, T3N, R4E) downstream to Skamania County line.
- c. Little Washougal River from confluence of Boulder Creek and East Fork Little Washougal River (Sec. 8, T2N, R4E) downstream to power line crossing near center of Sec. 17, T2N, R4E, and including all of Boulder Creek and East Fork Little Washougal River under jurisdiction of shoreline management.
- d. Lacamas Creek from west boundary of Lechtenberg Park (Sec. 20, T2N, R3E) downstream to 3rd Avenue bridge crossing at Camas City Limits, including all of Lacamas Lake and Round Lake.

4. Burnt Bridge Creek

- a. From the I-205 crossing downstream to crossing of Royal Oaks Drive
- b. From mile 5.4 above mouth downstream to crossing of I-5.
- c. From crossing of Alki Road downstream to mouth at crossing of BN rail line, including associated flood plain.

5. Salmon Creek and tributaries

- a. From crossing of I-5 downstream to crossing of BN rail line (Sec. 19, T3N, R1E) including associated flood plain.

- b. Mill Creek from crossing of NE 50th Avenue downstream to mouth at Salmon Creek.
- 6. Gee Creek

From its confluence with unnamed creek (Sec. 19, T4N, R1E) downstream through the Town of Ridgefield to the BN rail line crossing (Sec. 13, T4N, R1W).
- 7. Battle Ground Lake

East half of lake as delineated from the northern-most point to the southern-most point.
- 8. East Fork Lewis River and tributaries
 - a. From Gifford Pinchot National Forest Boundary (Sec. 24, T4N, R4E) downstream to section line common to Sec. 9 and Sec. 10, T4N, R3E, including the entire lengths under shoreline management jurisdiction of the following creeks: Copper Creek, King Creek, Rock Creek and its tributary Cedar Creek, all in T3N and T4N, R4E; Big Tree Creek and Yacolt Creek in T4N, R3E and R4E.
 - b. From mouth of Rock Creek (Sec. 14, T4N, R2E) downstream to crossing of SR 503, including associated flood plains, and including Rock Creek as follows: west bank only from mouth of unnamed creek (NE ¼ Sec. 11, T4N, R2E) downstream to mouth of unnamed creek (SE ¼ Sec. 11, T4N, R2E) and continuing downstream along both banks to mouth.
 - c. South bank associated flood plain from LaCenter bridge downstream to west line of the east ¼ of Sec. 4, T4N, R1E.
 - d. Lockwood Creek from its confluence with unnamed creek (Sec. 1, T4N, R1E) downstream to crossing of County Road No. 42.
- 9. Lewis River and tributaries
 - a. From Skamania County line downstream through and including Yale Lake and Lake Merwin, to the north-south center line of Sec. 12, T5N, R1E.

- (1) Including the entire lengths under shoreline management jurisdiction of the following creeks: Siouxon Creek and North Siouxon Creek in T6N, R4E; Canyon Creek and Fly Creek in T5N and T6N, R4E.
 - (2) Cedar Creek from its confluence with unnamed creek (Sec. 24, T5N, R3E) downstream to section line common to SE ¼ Sec. 26 and NE ¼ Sec. 35, T5N, R3E, and from crossing of County Road No. 20 downstream to mouth at Lewis River.
- b. From confluence with East Fork Lewis River downstream to BN rail line crossing (Sec. 1, T4N, R1W), and associated flood plain which includes Mud Lake.

NATURAL ENVIRONMENT

A. Definition

The natural environment is an area with a unique natural or cultural feature and/or high aesthetic quality, considered valuable in its natural or original condition and which is relatively intolerant of intensive human use.

B. Objectives

1. To ensure activities which may tend to degrade the actual or potential value of the environment are restricted from these sensitive areas.
2. To preserve and restore natural resource systems or otherwise contribute to the preservation of the natural character.

C. Designation Criteria

1. Areas free from development or capable of being easily restored to the natural condition.
2. Areas characterized by rare, natural or cultural features considered valuable by local opinion.

a. Wildlife habitats

- (1) A shoreline area utilized by rare or endangered species that provide food, water or cover and protection.

- (2) A wildlife habitat for diminishing species.
- (3) An area serving as a seasonal haven for concentrations of native animals, such as an anadromous fish route, migration route, breeding site or migratory flyway.

b. Scientific Value

- (1) Shoreline areas considered to best represent the basic ecosystem and/or geologic type.
- (2) Ecotones, transitional types and other areas representing geologic and ecologic norms, but which are of particular scientific interest.
- (3) Shoreline areas which best represent undisturbed nature.

- c. Those shoreline areas having an outstanding and unique scenic value in their natural state.
- d. Shoreline areas having a high value for wilderness recreational experience with non-motorized travel.

D. General Policies

- 1. Natural areas should remain free from all development which would adversely affect their natural character.
- 2. Industrial, commercial and residential developments are prohibited in natural areas.
- 3. Limited access for non-motorized passive recreation should be allowed as long as it does not unduly affect the environment.

E. Use Limitations

- 1. Conditional Uses: The following shoreline uses proposed within the Natural Environment require Conditional Use Permit approval:
 - a. Signs for the purpose of information and direction only.
 - b. Archeological and Historic Site excavation or modification.

2. Prohibited Uses: All other shoreline uses proposed within the Natural Environment are prohibited.

F. Natural Environment Shorelines of the County

Battle Ground Lake

West half of the lake as delineated from the northern-most point to the southern-most point.

TABLE 1
USE LIMITATIONS IN SHORELINE ENVIRONMENTS

TABLE 1
USE LIMITATIONS IN SHORELINE ENVIRONMENTS

Use Activity	Environmental Designation			
	URBAN	RURAL	CONSERVANCY	NATURAL
Agriculture	○	○	○	●
Forest Practices	○	○	○	●
Mining	○	○	○	●
Dredging	○	○	○	●
Ports & Industry	○	○	○	●
Roads & Railroads	○	○	○	●
Utilities	○	○	○	●
Commercial	○	○	○	●
Signs	○	○	○	●
Residential Development	○	○	○	●
Marinas	○	○	○	●
Piers	○	○	○	●
Jetties & Groins	○	○	○	●
Breakwaters	○	○	○	●
Bulkheads	○	○	○	●
Shoreline Protection	○	○	○	●
Landfill	○	○	○	●
Solid Waste Disposal	○	○	○	●
Aquaculture	○	○	○	●
Historic Site Modification	○	○	○	●
Recreation	○	○	○	●

○ Permitted uses within the environment
 ○ Conditional uses within the environment
 ● Prohibited uses within the environment
 ○ Conditional Use (except single family dwellings, which are permitted)

INDEX TO SHORELINE ENVIRONMENT PLATES

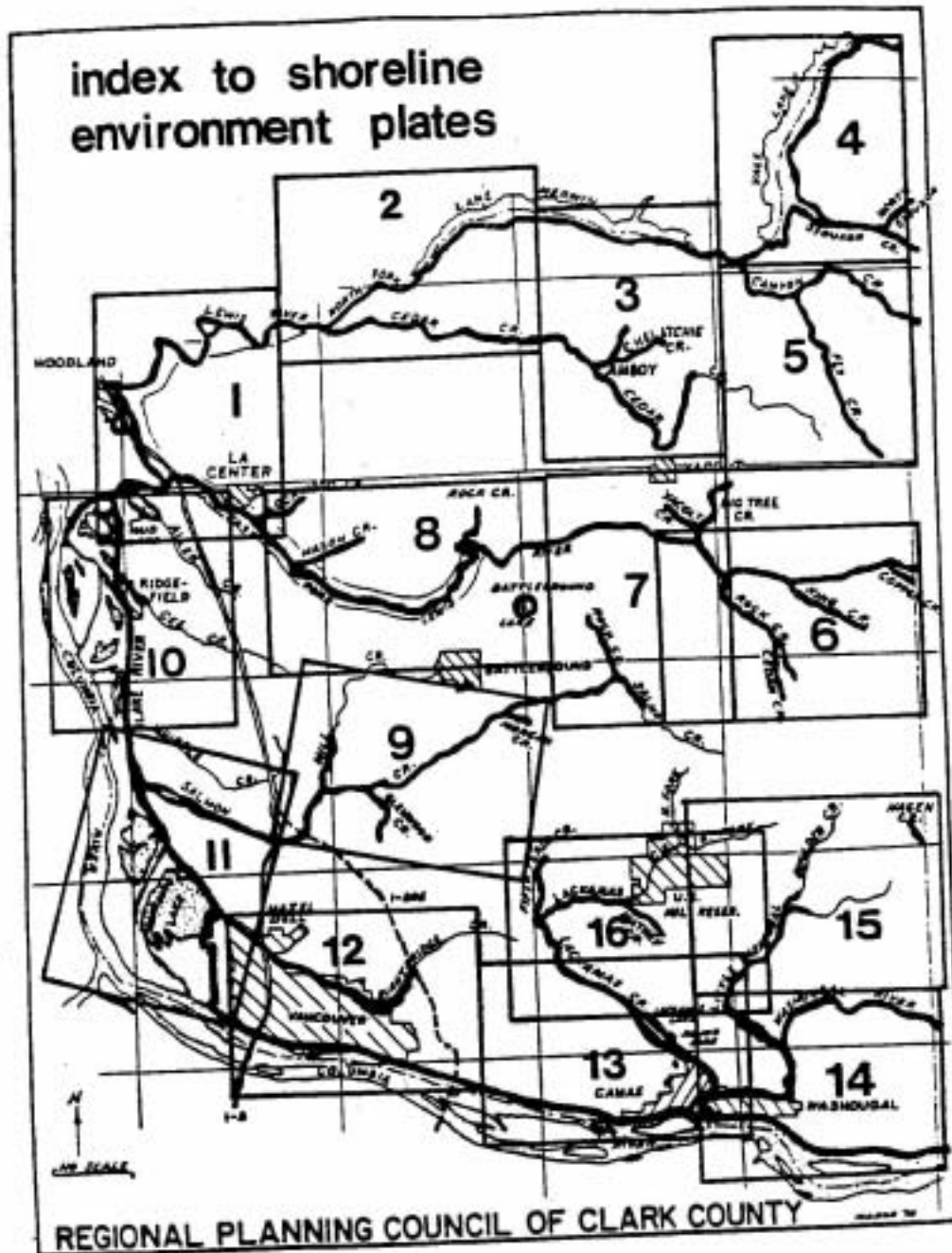
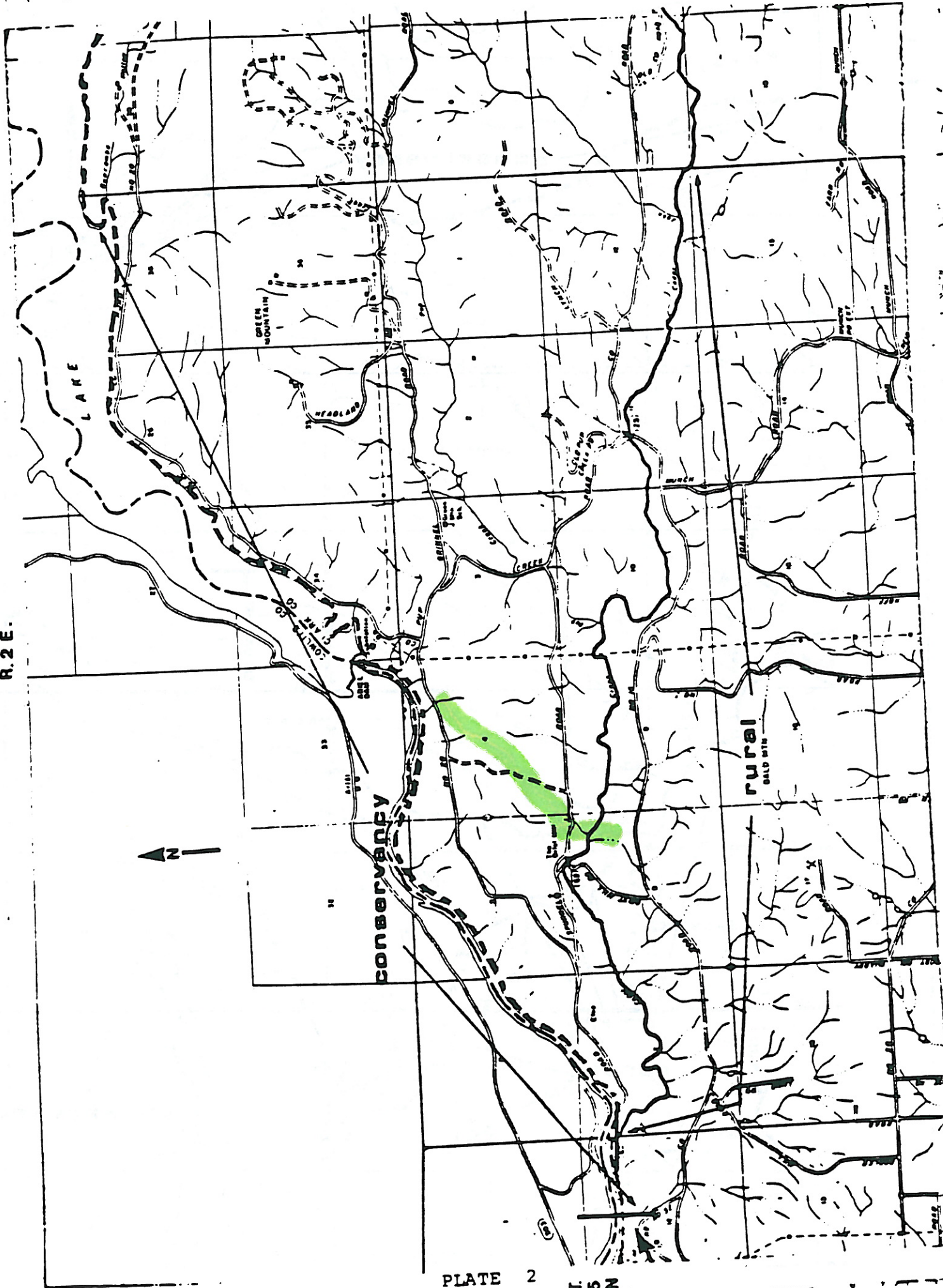


PLATE 1



R. 2 E.



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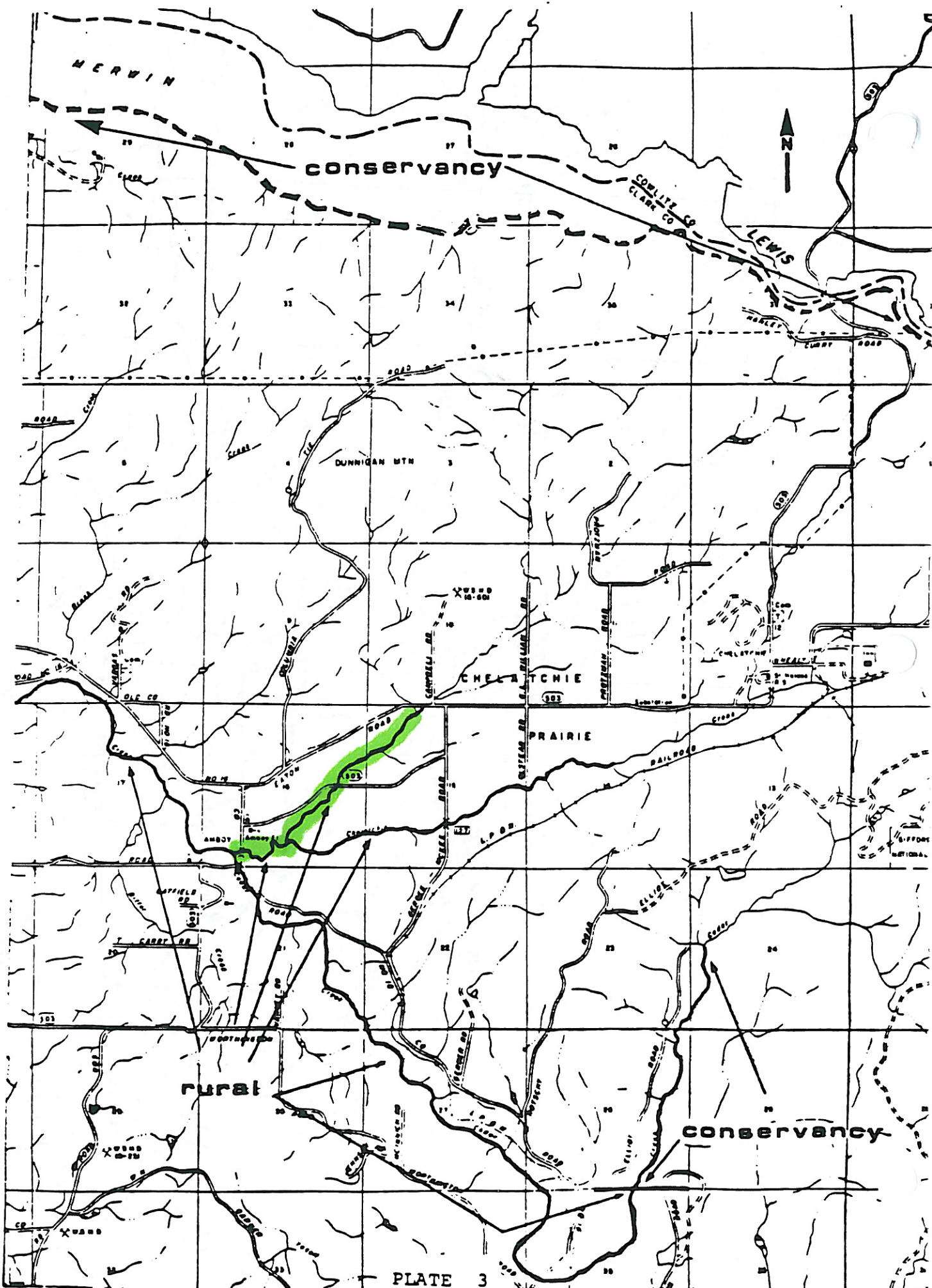


PLATE 3

PLATE 4

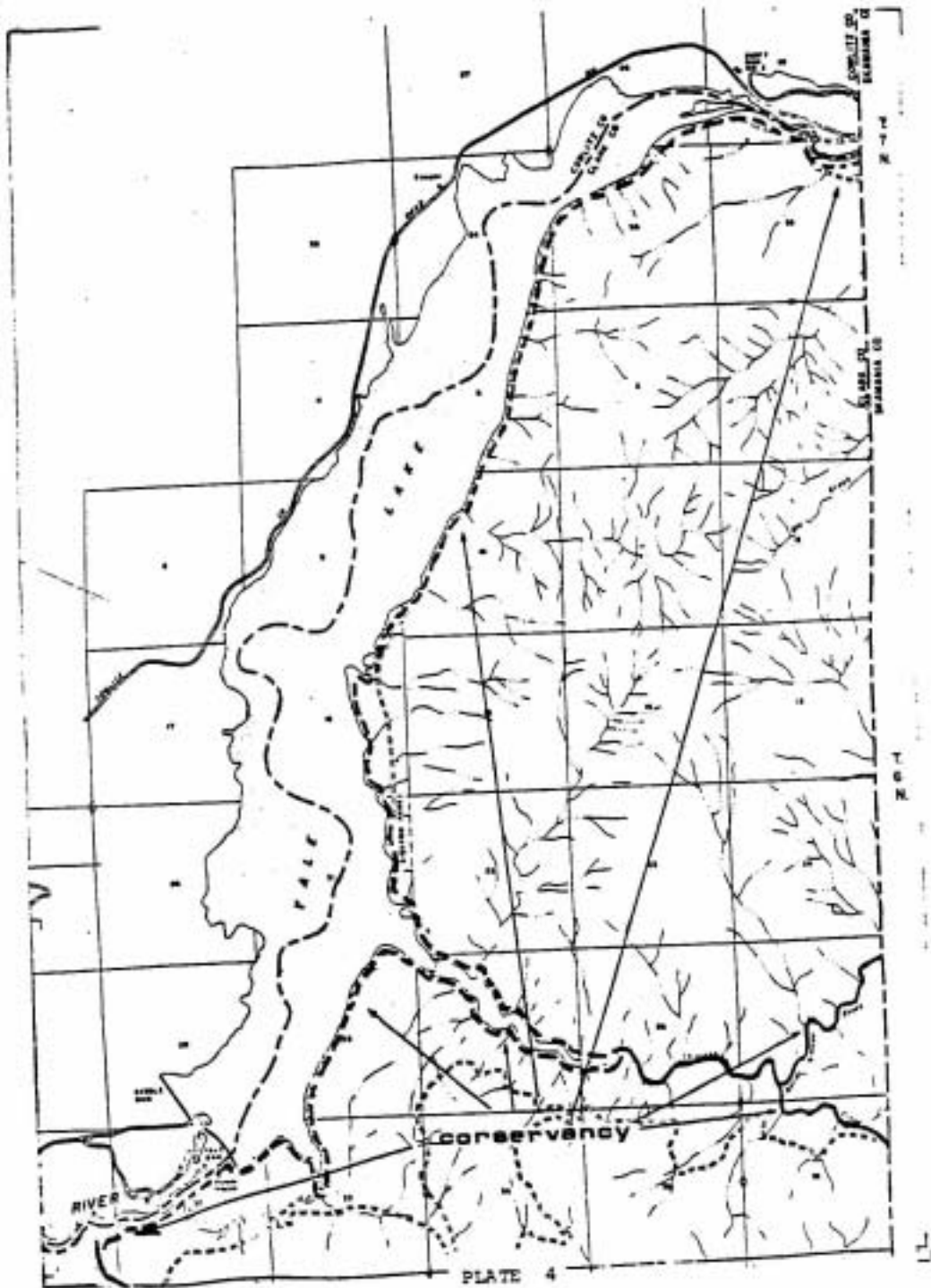
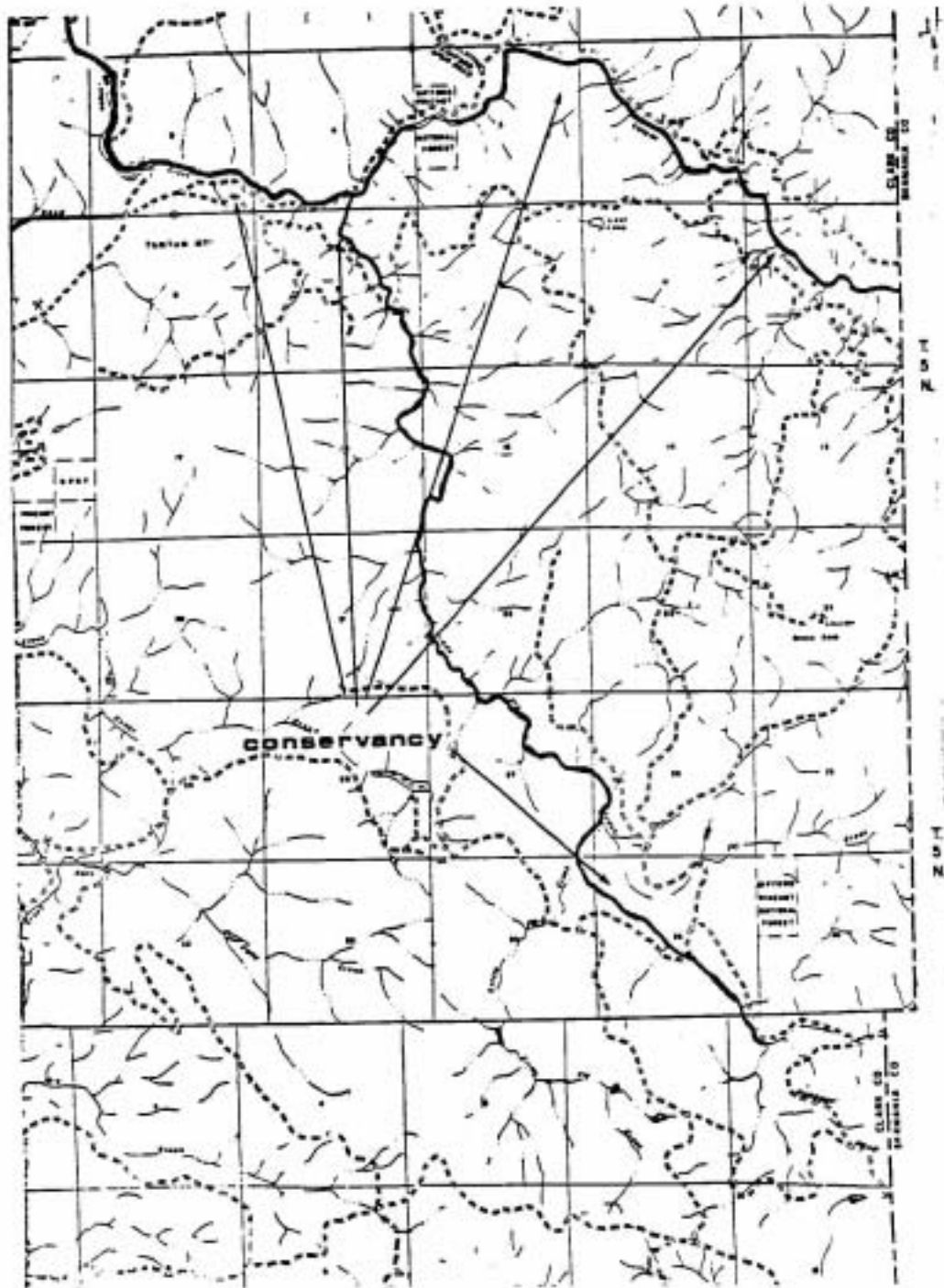


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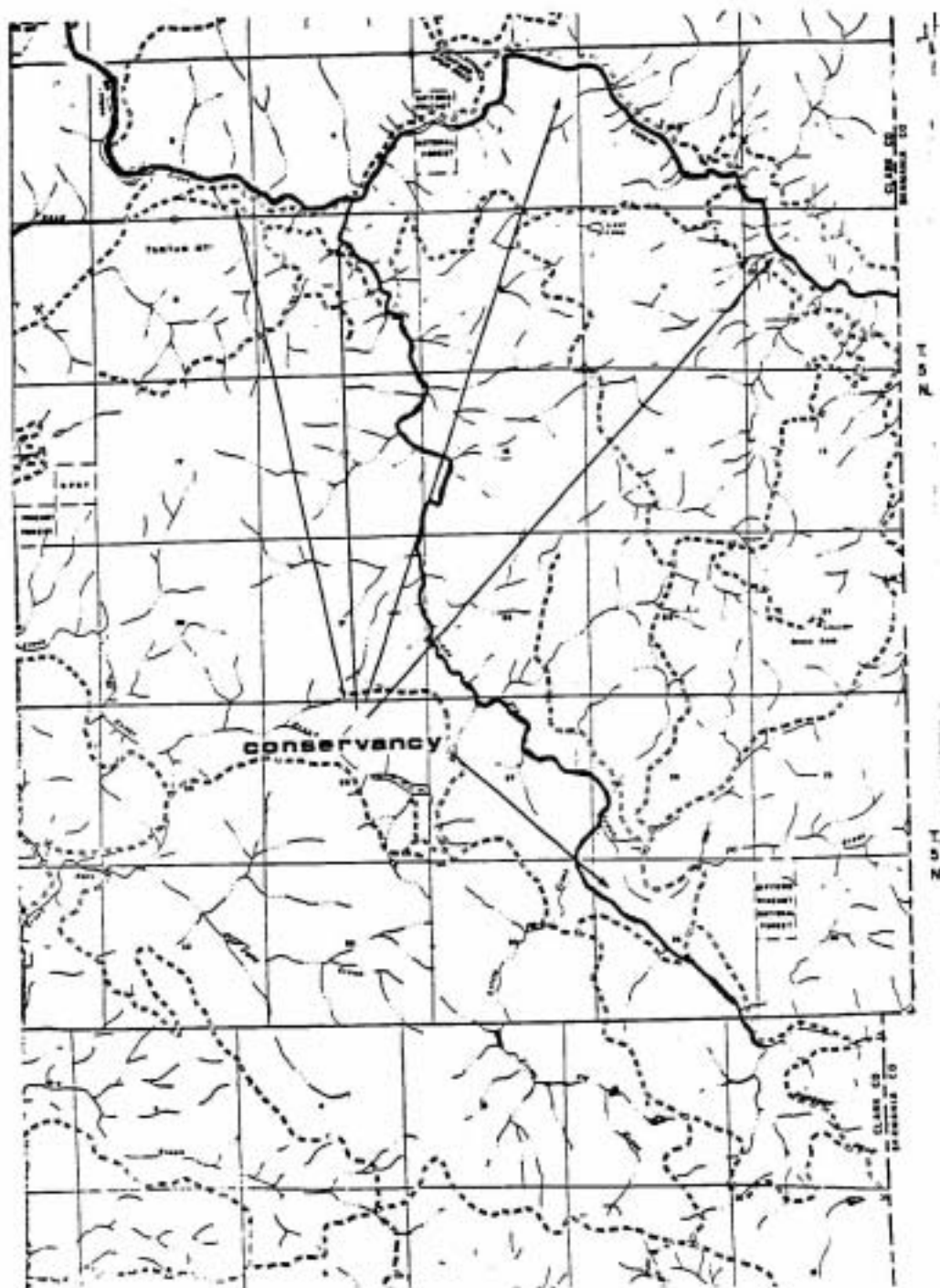
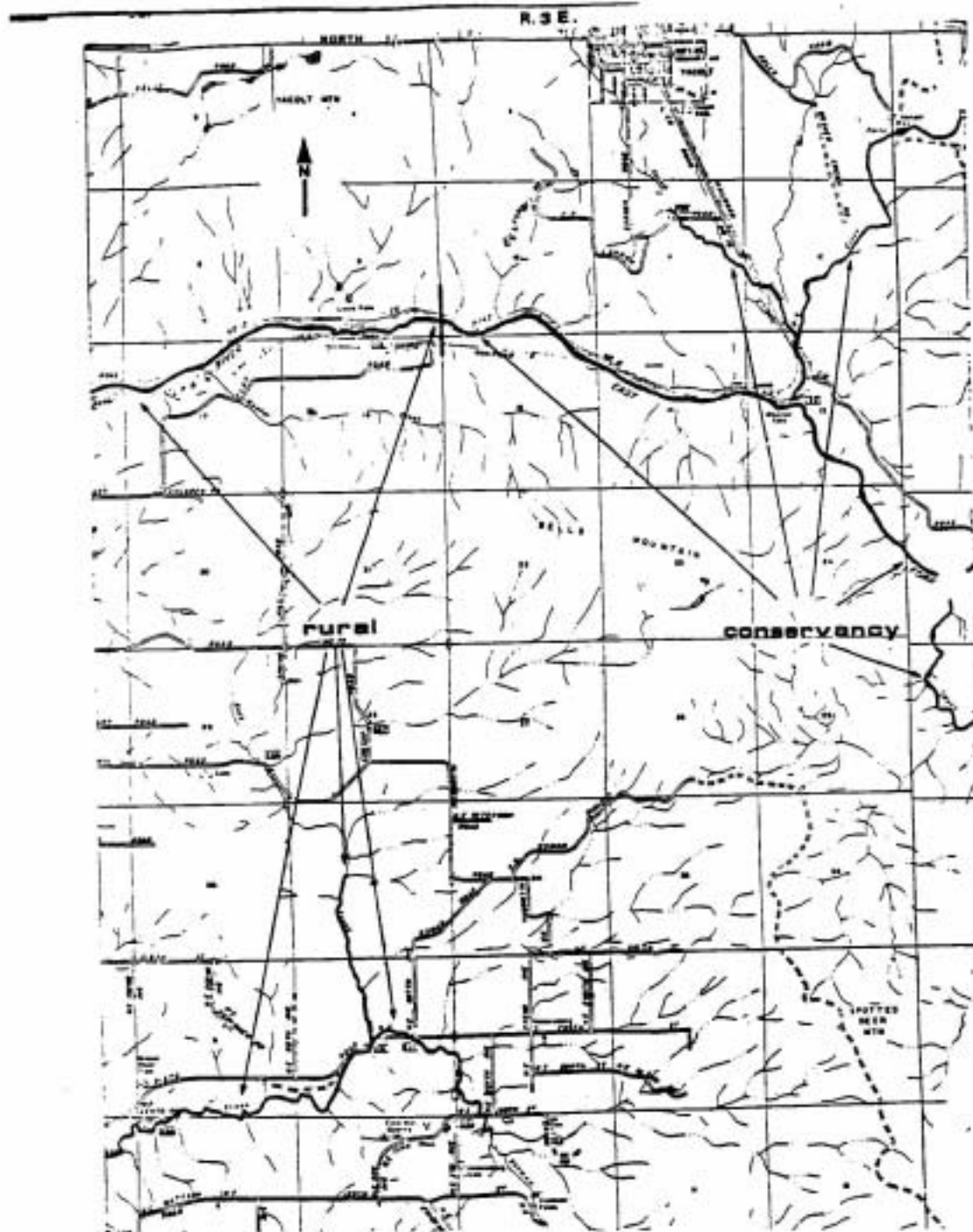


PLATE 7



N.2 E.



PLATE 9

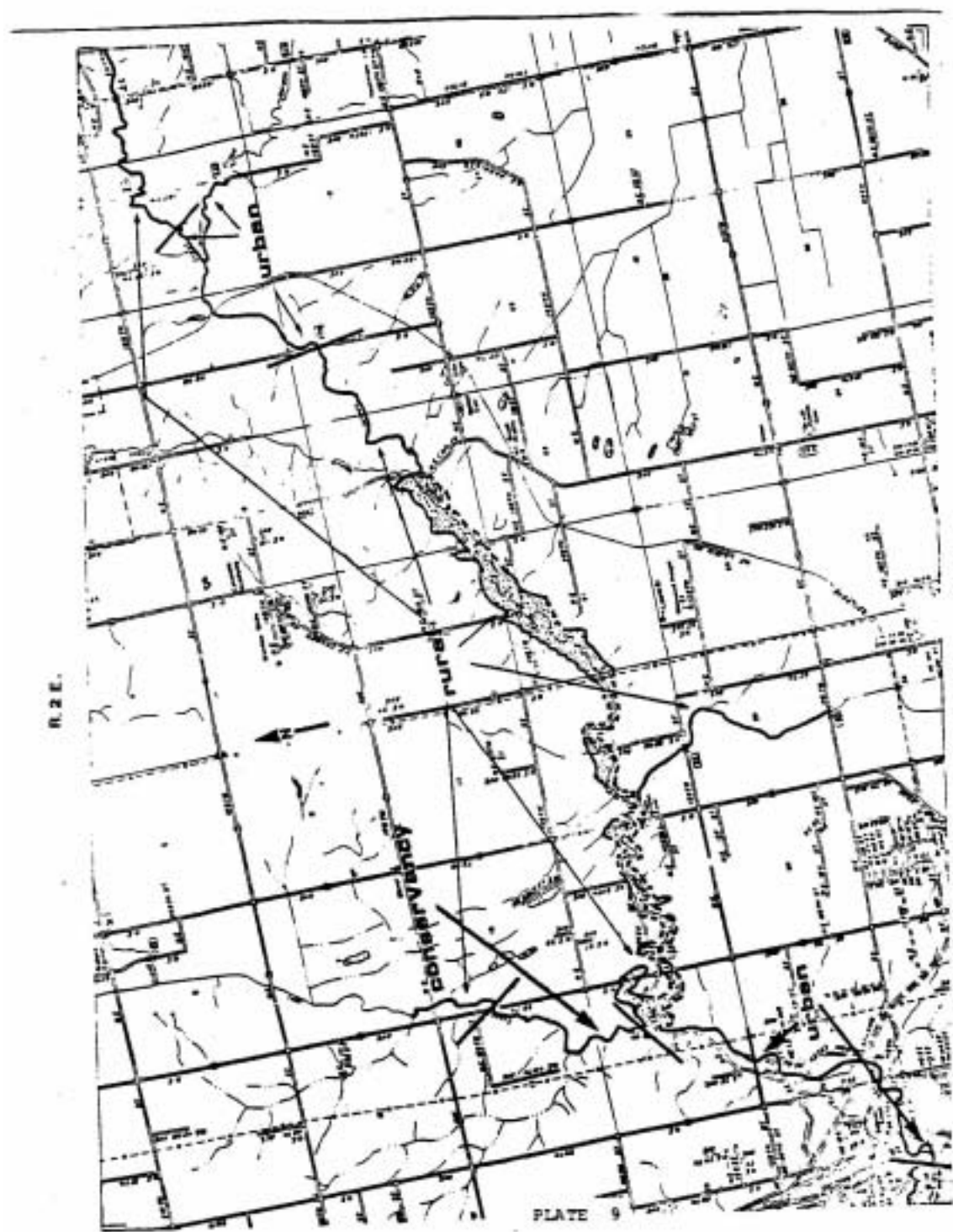


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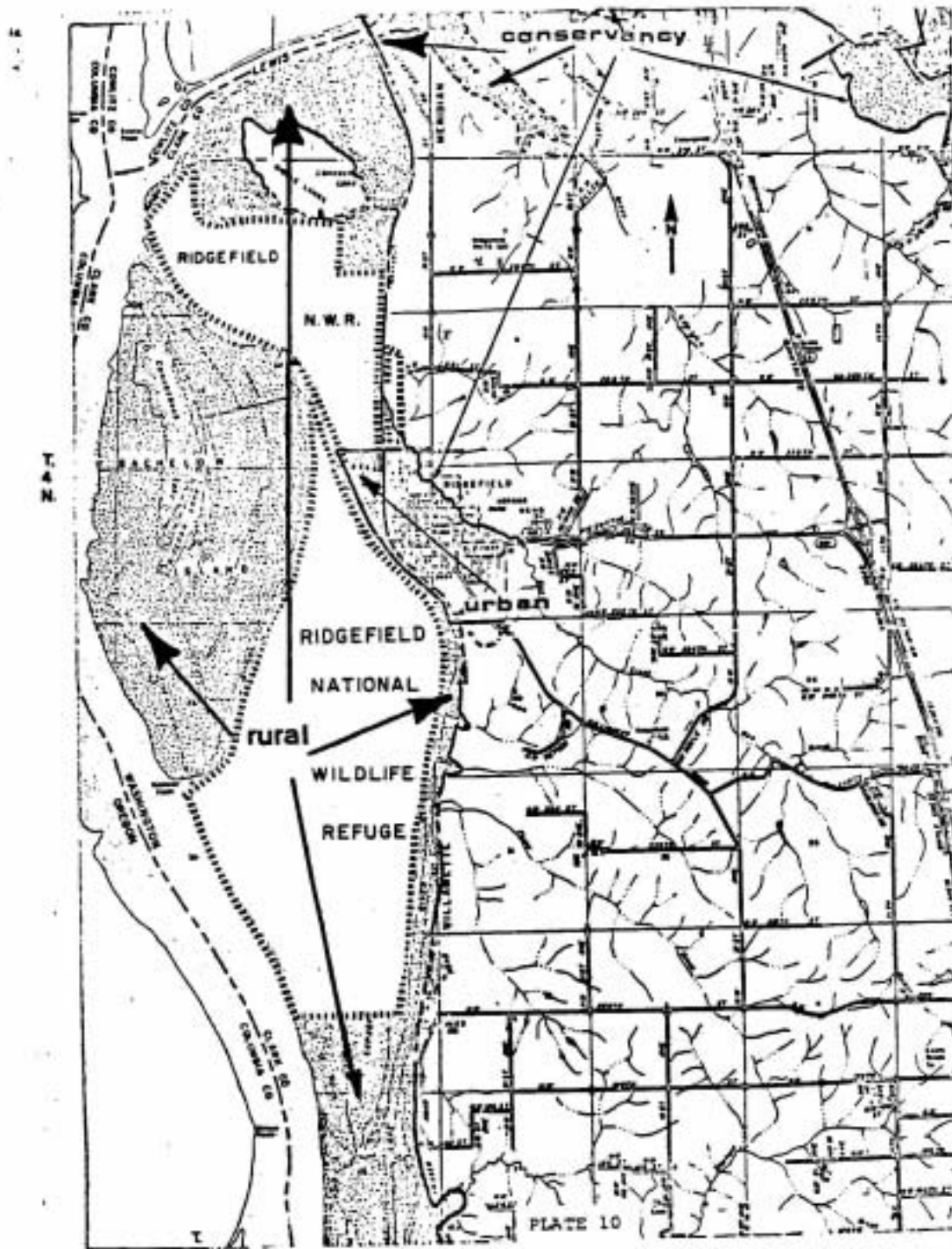
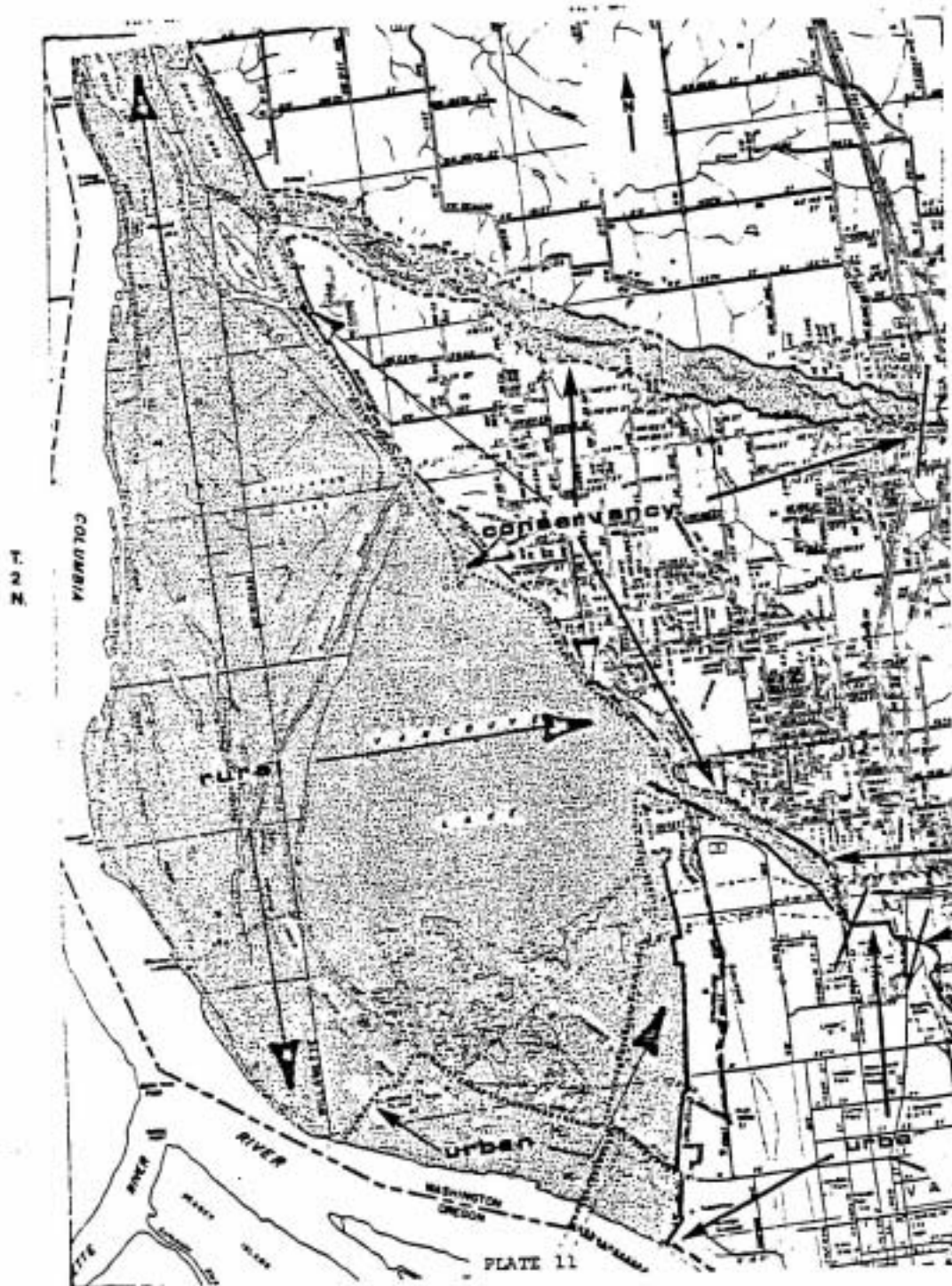


PLATE 11



R.1.E.

R.2.E.

PLATE 12

PLATE 12

PLATE 13

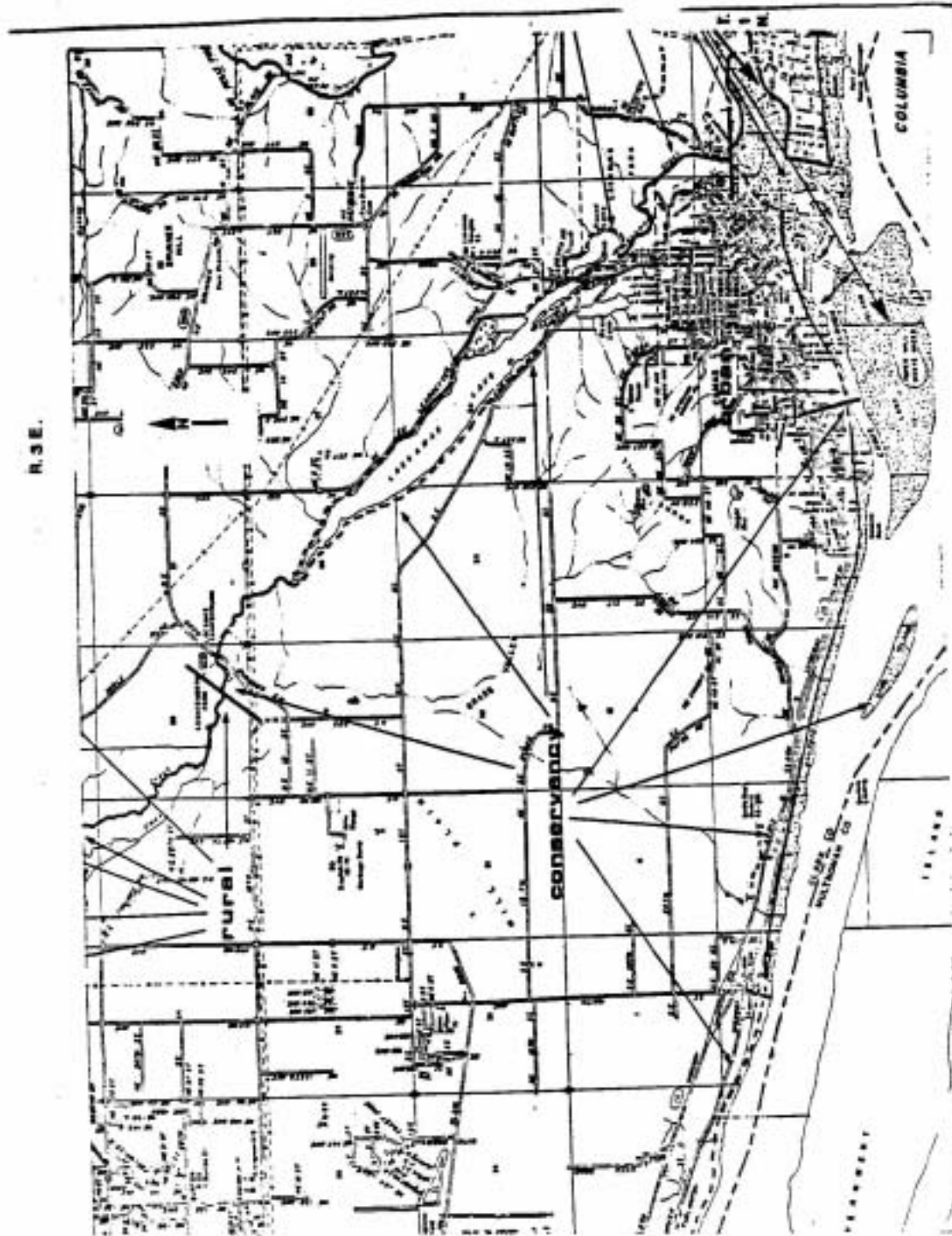


PLATE 14



PLATE 15

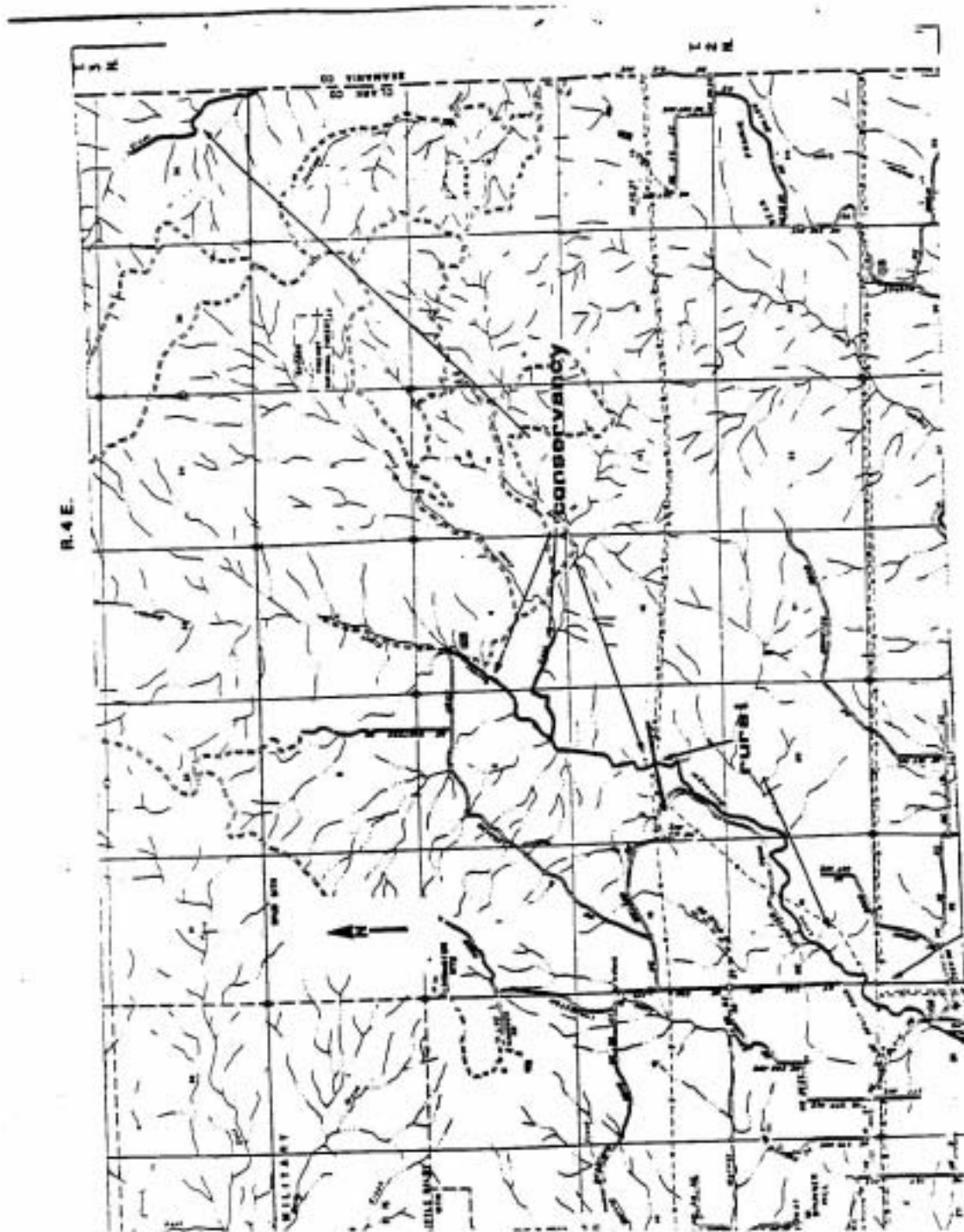
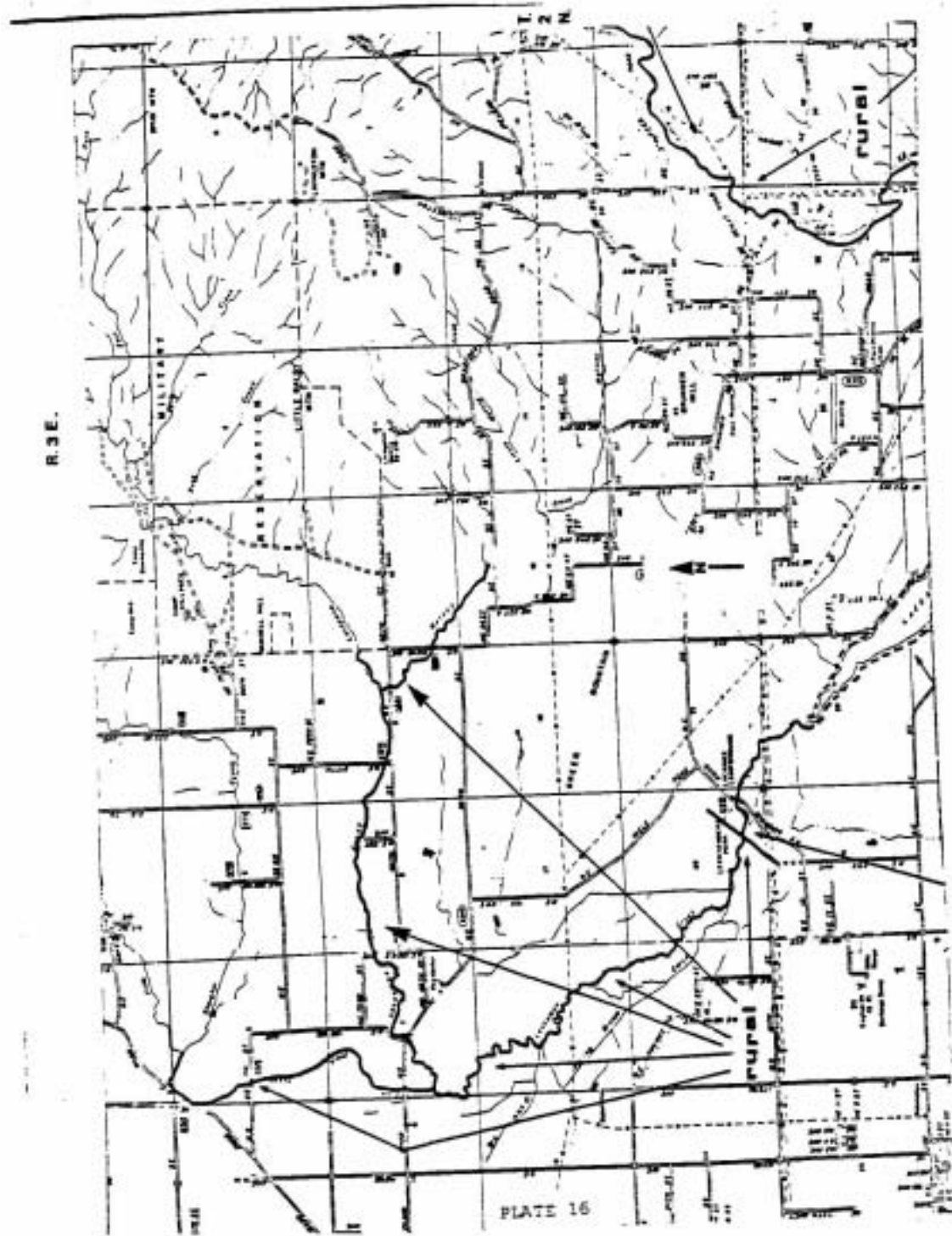


PLATE 16



CHAPTER VI

SHORELINE USE ACTIVITIES POLICY STATEMENTS AND USE REGULATIONS

CHAPTER VI

SHORELINE USE ACTIVITIES POLICY STATEMENTS AND USE REGULATIONS

For each of the 21 common shoreline use activities contained in this chapter is listed a set of policies and use regulations. The policy statements and regulations provide specific standards by which all such activities are to be conducted on shorelines of the county. The policies are written in discretionary language, intended to serve as guidelines and to be applied as conditions warrant. The use regulations are presented in mandatory terms and, as such, are applicable in all cases.

All development and substantial development occurring upon shorelines of the county must conform with the policy statements to the maximum possible extent, and all such activities shall comply with the use regulations. Any deviation from these standards may require a variance approval as provided for in Section 6 of the Shoreline Management Ordinance. Any activity proposed within a shoreline environment in which such activity is not identified as a permitted use shall require a conditional use approval as provided for in said Section 6.

USE ACTIVITIES

AGRICULTURAL PRACTICES

Agricultural practices are those methods used in the management of livestock, soils, and vegetation, such as feedlot operations, tilling and fertilization of soil, or the control of weeds, plant diseases and insect pests.

A. Policy Statements

1. A buffer of permanent vegetation should be maintained between tilled areas and adjacent water bodies, and should be of sufficient depth, height and density to retard surface runoff, reduce siltation and provide shade for fish habitat.
2. Feedlot operations should be in conformance with U.S. Environmental Protection Agency guidelines, which establish a total system approach for the prevention of water pollution (see regulations 3, 4 and 5).
3. Cultivation practices designed to control erosion, such as strip cropping, mulching, crop rotation and contour cultivation should be used in conformance with guidelines and standards established by the Soil Conservation Service.

4. Pesticides should not be allowed to enter the waterways, and should be used only in compliance with State pesticide regulations.
5. Pasture, woodland and other uses providing a stable vegetative cover should occupy areas immediately adjacent to shorelines as well as the lower, more flood-prone elevations of flood plains.

B. Regulations

1. Minimum standards developed by the State Departments of Game, Fisheries, Ecology and Health Services shall be adhered to in the storage, mixing, application or disposal of all chemicals, pesticides and fertilizers (Washington Pesticide Regulation WAC 16-235-020).
2. Diversion of water for agricultural purpose shall be done in accordance with water-right procedures established in RCW 35.21.090, 35.88.010, 35.92.220, 35.92.240, 35.92.260, 90.03.030, 90.44.020, 90.44.030, and 90.44.130.
3. The location of feedlots in shore-land areas shall be outside of the 10-year flood plain or beyond the 200-foot wetlands, whichever is greater.
4. Feedlot design shall include drainage control measures, such as sloping, ditching, diversion, and collection of runoff, and a system for holding ponds for retention of liquid wastes and surface drainage.
5. Feedlot management shall include the proper handling and treatment of wastes (stockpiling, drying of manure, spraying for fly and odor control, etc.), and the disposal of solid and liquid wastes by application onto agricultural lands as permitted by conditions of soils, groundwater, crops and seasonal weather features.
6. Use limitations in shoreline environments:
URBAN – Conditional Use
RURAL – Permitted Use
CONSERVANCY – Permitted Use
NATURAL – Prohibited Use

FOREST MANAGEMENT PRACTICES

Forest management practices are those methods used in the protection, production and harvesting of timber.

A. Policy Statements

1. Slash from logging and thinning operations should be properly handled to prevent materials from entering the waterway, reduce the fire hazard and lessen the adverse visual impact.
2. Broadcast residue burning should be prohibited in shoreline areas subject to erosion.
3. Shoreline areas having scenic qualities, such as those providing a diversity of views, unique landscape contrasts, or landscape panoramas should be maintained as scenic views in timber harvesting areas. Timber harvesting practices, including road construction and debris removal, should be closely regulated so that the quality of the view and viewpoints in shoreline areas of the state are not degraded.
4. Road and bridge construction should be accomplished with minimum disturbance to the shoreline resources.
 - a. Roads should be located as far away from stream courses as possible and feasible.
 - b. Stream crossings should not be located in areas containing main spawning beds consistent with State Fish & Game Hydraulics permit requirements.
 - c. All bridge construction work possible should be accomplished from the stream bank.
 - d. Road drainage water should be diverted to settling ponds or suitable forest floor before entering the stream.
 - e. Logging damage should be minimized in fragile areas by the use of balloons, helicopters or modified cable systems, in lieu of road construction.
5. Timber harvesting practices should be conducted to maintain State Board of Health standards for public water supplies.

6. Logging in shoreline areas should be avoided on slopes of such grade that large sediment runoff will be precipitated unless it can be shown that adequate restoration and erosion control will be expeditiously accomplished.
7. Buffer strips should be generally 75 feet in with, but may vary with steepness of terrain, the nature of vegetation, soil conditions, geologic factors, road locations and visual amenities.
 - a. Timber harvesting within buffer strips should be by uneven age canopy management, unless it can be shown that conditions render selective logging ecologically or silviculturally detrimental or inadequate for preparation of land for other permitted uses.
 - b. All residual vegetation in the buffer strip including grasses, herbs, shrubs, “down” timber that is part of the forest floor environment, and non-merchantable trees, should be left undisturbed to provide shade to the stream and to maintain the integrity of the soil. Where the residual vegetation is inadequate to provide shade or maintain soil integrity, sufficient merchantable trees should be left to accomplish these purposes, except that merchantable trees which would clearly blow down because of inadequate soils, low root strength, wind exposure, or other specific factors may be removed.
8. Logging operations in shoreline areas should utilize methods which minimize damage to stream quality, under-story vegetation and the soil mantel.
9. Tractor yarding and roads should be avoided on saturated slopes and on all slopes steeper than 30%.
10. Project planning for shoreline timber cuts should include provisions for wildlife considerations.
 - a. Logged areas should be left in a condition favorable for wildlife habitat.
 - b. Timber cutting should be avoided in areas of critical wildlife habitat.

B. Regulations

1. Timber harvesting along shorelines of statewide significance shall be only selective timber cutting, so that no more than 30% of the merchantable trees

shall be harvested in any ten-year period, unless it can be shown that conditions render selective logging ecologically detrimental or inadequate for preparation of land for other permitted uses.

2. As needed, slopes of logged areas shall be stabilized by seeding, mulching, matting and replanting vegetation of a type common to the vicinity.
3. Adequate buffer strips shall be left along all shorelines in logging areas to reduce the amount of sediment and logging wastes that reach the stream, prevent bank erosion and water temperature increases, maintain desirable dissolved oxygen values and the natural stream beauty.
 - a. Provisions shall be made for reforestation (either by silvicultural succession or by man-made processes where necessary) of conifers where appropriate, and any disturbances of other vegetation shall be repaired as quickly as possible (by planting fast growing vegetation).
 - b. No roads, wheeled or tracked machinery shall be allowed within the buffer strip, except for bridge and culvert installation, maintenance of same, and for cleanup operations requested by or authorized by the Departments of Fisheries and Game.
4. Cut and fill banks shall be promptly stabilized through revegetation and other erosion control measures as necessary.
5. Upon completion of logging, temporary bridges and culverts shall be removed, and abandoned roads reseeded.
6. Timber shall not be felled across nor yarded through waterways.
7. In order to minimize soil disturbances and other water pollution hazards thorough planning and careful yarding practices shall be used.
 - a. Skid trails shall be carefully located and drained so that muddy and turbid waters will be kept out of waterways.
 - b. Skid trails shall not be located in waterways or on banks.
 - c. Temporary log or metal culverts shall be used where trails must cross waterways.

8. No cables, equipment or trash shall be abandoned in the 200 ft. wetlands.
9. Use limitations in shoreline environments:
 - URBAN – Conditional Use
 - RURAL – Permitted Use
 - CONSERVANCY – Permitted Use
 - NATURAL – Prohibited Use

MINING

Mining is the removal of naturally occurring materials from the earth for economic use.

A. Policy Statements

1. Adequate protection against sediment and silt production should be provided for removal of rock, sand, gravel and minerals from shoreline areas.
2. Operations for the production of sand, gravel, rock and minerals should be done in conformance with the Washington State Surface Mining Act.
 - a. Proposals for surface mining should include plans for site reclamation.
 - b. State regulations should be applied to all surface mining in shoreline areas regarding of acreage or duration of the operation.
3. The removal of sand and gravel from beaches should be prohibited.
4. Removal of materials from stream banks and channels should be avoided and, when necessary, should be undertaken only with approval to the Department of Fisheries and Game.
5. Surface mining should not occur along wooded shorelines, nor on agriculturally productive soils.

B. Regulations

Use limitations in shoreline environments:

URBAN – Conditional Use
RURAL – Conditional Use
CONSERVANCY – Permitted Use
NATURAL – Prohibited Use

DREDGING

Dredging is the removal of earth from the bottom of streams, lakes, or other water bodies for such purposes as channel improvement or to obtain bottom materials for land fill or resource utilization.

A. Policy Statements

1. Dredging of bottom materials for the single purpose of obtaining fill material should be strongly discouraged.
2. Dredging operations should be conducted in a manner, which will minimize degradation of water quality, damage to aquatic life, and to other ecological values.
3. Dredge spoils should be deposited only to landward of high water flows, except in cases where deposition of spoils in water areas would result in an improvement of fish habitat, bank erosion; etc., or where depositing material on land would prove to be more detrimental to shoreline resources than a deposit in water areas.
4. All dredging plans should be in conformance with long-range plans for the depositing of spoils on land and in water areas to be developed pursuant to the shoreline program.

B. Regulations

1. All permits for dredging must be obtained prior to the start of the operation from the appropriate agency or agencies, such as the Army Corps of Engineers; the U.S. Coast Guard; and the Washington State Department of Ecology, Fisheries, Game, and Natural Resources.
2. All dredging proposals which require a shoreline permit must clearly identify the need and purposes of the project; type and volume of dredge material; spoils disposal site; methods of dredging; time frame of the project; conditions of the dredging site such as water uses and channel characteristics. Other information deemed appropriate for specific projects, such as water depth, velocity, currents, bottom sampling analyses, patterns of sedimentation and fisheries research data must be made available if called for.
3. Use limitations in shoreline environments:
URBAN – Conditional Use
RURAL – Conditional Use
CONSERVANCY – Conditional Use
NATURAL – Prohibited Use

PORTS & WATER-RELATED INDUSTRY

Ports are centers for water-borne commerce which attract and serve industrial and manufacturing firms by transporting raw materials and finished products.

A. Policy Statements

1. Water-dependant industries requiring frontage on navigable water should be given priority over other industrial uses for shoreline locations.
2. Port facilities should be designed to permit viewing of harbor areas from viewpoints, waterfront restaurants and similar public facilities which would not interfere with port operations or endanger public health and safety.
3. Sewage treatment, water reclamation and power plants should be designed and located where they do not interfere with and are compatible with recreational, residential and other public uses of the water and shorelands.
4. Industrial waste treatment ponds and facilities should be located inland when possible, and should occupy as little shoreline as necessary when such a location is required.
5. The cooperative use of docking, parking, cargo handling and storage facilities should be strongly encouraged in waterfront industrial areas.
 - a. Waterfront sites should be occupied by those activities which require use of the land-water interface, such as docking terminals and cargo handling facilities.
 - b. Uses such as storage yards, warehouse buildings and parking facilities should be located inland.
6. Land transportation systems and utility corridors serving ports and industry should be located upland to reduce pressures for use of waterfront sites.
7. Allocation of additional shoreline areas for industrial purposes should not occur within port-service areas until existing industrial areas are fully utilized, and only after consideration of statewide and regional needs are coordinated planning with other jurisdictions, to avoid wasteful duplication of port services.

8. Industrial docks and piers should be designed and located to be environmentally compatible and to avoid adverse effects on other water-dependant uses and shoreline resources.
9. In developing new industrial and port facilities, priority should be given to selecting those sites which are physically suitable as well as economically feasible.
 - a. Harbor facilities should be located in areas which require the least amount of dredging and channel maintenance, and which result in minimum adverse effects on the natural systems and existing land and water uses.
 - b. To the extent possible, industrial site selection should avoid those shoreline areas which are subject to flooding or require extensive fill or diking.
 - c. When activities such as dredging, filling and dike construction necessary for extensive site development, these projects should be multi-purpose in nature, to the extent feasible, serving not only industry but recreation or other community interests.
10. Plans for improvements of existing and future industrial or port properties should include provisions for restoration or enhancement of the shoreline, such as providing vegetation, landscaping or public access along banks which are unused for other purposes and where safety conditions permit.

B. Regulations

1. The project shall demonstrate water dependence.
2. Use limitations in shoreline environments:
 - URBAN – Permitted Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

ROADS & RAILROADS DESIGN & CONSTRUCTION

Roads and railroads are linear passageways for vehicles and train traffic.

A. Policy Statements

1. Major highways, freeways and railroads should be located away from shorelines when possible, except in port and heavy industrial areas, so that shoreline roads may be reserved for slow moving recreational traffic.

2. Roads should be located and designed to provide access to, rather than occupy, the shoreline, and should be located a sufficient distance from the water to prevent alteration of the shoreline.
3. Roads should be designed to fit the topography so that the minimum alterations of natural conditions will be necessary.
4. Public roadways through scenic corridors should have provision for safe pedestrian and other non-motorized travel. Also, sufficient viewpoints, rest areas and picnic areas in public shorelines should be provided.
5. Old highways with high aesthetic qualities should be maintained as scenic and bypass routes.
6. Proposals for transportation facilities should be coordinated with, and designed to serve, other shoreline use activities.

B. Regulations

1. Roads located in wetland areas shall be designed and maintained to prevent erosion and to permit a natural movement of ground water.
2. All debris, overburden and other waste material from construction shall be disposed of in such a way as to prevent their entry by erosion from drainage, high water, or other means into any water body.
3. Road drainage shall be diverted into settling basins prior to discharge into water bodies, or treated by other suitable means.
4. Use limitations in shoreline environments:
 - URBAN – Permitted Use
 - RURAL – Permitted Use
 - CONSERVANCY – Permitted Use
 - NATURAL – Prohibited Use

UTILITIES

Utilities are structures which produce and carry electric power, gas, water, sewage, communications and oil.

A. Policy Statements

1. Placement of utilities in shoreline areas should not occur where upland routes or sites are available or suitable. Suitability of existing rights-of-ways should be considered.
2. Utility lines should be placed underground whenever feasible, or so designed to do minimum damage to the shoreline area.
3. Overhead lines should be located so as not to obstruct or destroy scenic views and designed to minimize damage to the aesthetic qualities of the shoreline area.
4. To the extent feasible, attempts should be made to incorporate access facilities to and along water bodies with major utility line rights-of-way.
5. Utilities should be coordinated with local growth policies and located in areas planned to accommodate this growth.

B. Regulations

1. Stream crossing shall be accomplished in conformance with the Department of Fisheries and Game hydraulic project criteria.
2. Shoreline banks shall be restored to pre-project configuration, replanted with native species and maintained until new vegetation is established.
3. Appropriation of state surface and ground waters and proposals to discharge wastes into these waters shall be in conformance with regulations administered by the Department of Ecology.
4. Use limitations in shoreline environments:
URBAN – Permitted Use
RURAL – Permitted Use
CONSERVANCY – Permitted Use
NATURAL – Prohibited Use

COMMERCIAL DEVELOPMENTS

Commercial developments are those uses which are involved in services, wholesale and retail trade or other business activities.

A. Policy Statements

1. New commercial developments on shorelines should be located in those areas where existing commercial uses are found.
2. Commercial structures on shorelines should be designed and located so that scenic views from surrounding areas are not degraded.
3. Shoreline frontage of commercial establishments should, to the extent possible, be maintained in its natural condition.
4. Public access to the shoreline should be provided unless it conflicts with the commercial use.

B. Regulations

1. Proposals for commercial developments along the shoreline shall adequately demonstrate that a shoreline location is required.
2. Drainage for the development shall be approved by the Clark County Director of Public Works.
3. Parking facilities shall be placed inland from the shore.
4. Use limitations in shoreline environments:
 - URBAN – Permitted Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

OUTDOOR ADVERTISING, SIGNS AND BILLBOARDS

A. Policy Statements

1. Design standards should be established to limit the size, height, density and lighting of signs in shoreline areas.

2. Shoreline viewpoints should not be degraded, and visual access to the water from such vistas should not be impaired by the placement of signs.
3. Outdoor advertising signs should be located on the upland side of public transportation routes which parallel adjacent streams and lakes to avoid obstructions.
4. When feasible, signs should be constructed against buildings to minimize visual obstructions of the shoreline and water bodies.

B. Regulations

1. Off-premise, third party outdoor advertising signs shall be limited to the urban environment.
2. Animated signs are prohibited in the shorelines.
3. Signs and lighting for signs shall conform to all Federal, State and County signs standards as developed.
4. Signs in a natural environment shall be for the purpose of information and direction only.
5. Use Limitations in shoreline environments:
URBAN – Permitted Use
RURAL – Conditional Use
CONSERVANCY – Conditional Use
NATURAL – Conditional Use

RESIDENTIAL DEVELOPMENT

Residential developments include subdivisions, mobile home parks, single and multi-family dwelling structures, floating homes and planned (unit) developments.

A. Policy Statements

1. Subdivision density, site coverage, and occupancy should be designed at a level compatible with the physical capabilities of the shoreline and water.
2. Subdivisions should be designed to adequately protect the water and shoreline aesthetic characteristics.
3. The intent of this section is to identify and provide for public pedestrian access to the public shorelines of Clark County, and also recognize the desirability of providing for continuity of identified public pedestrian access corridors and greenways.

- a. Developers should provide public pedestrian access to existing public shorelines where necessary.
 - b. Where a particular shoreline is identified as planned for future public use, public pedestrian access to the shoreline will be planned for, and this public access will be made available when the acquisition is complete.
 - c. Developers should recognize identified future public access corridors, trails, or greenways and design their developments to accommodate said corridors, trails, or greenways, either for immediate or future use, whichever is appropriate.
 - d. It is recognized that the optimum location for the corridor, trail or greenway and a minimal economic impact on the developer will be subject to negotiation but only when supported by good design criteria in either case.
 - e. Residential developers should be encouraged to designate as much of the shoreline frontage as is reasonable for recreational or greenway purposes for residents of the development.
 - f. It is recognized that this section in providing a public benefit may in some cases cause an economic hardship exceeding landowner's obligation to the public. In such a case, compensation by the County should be negotiated.
- 4. In order to maintain natural shoreline characteristics, construction of facilities below the ordinary high water mark should be discouraged. Only development designed to serve the general public or the residents of the subdivision should be considered.
 - 5. Design and location of floating homes should be compatible with the designated environments.

B. Regulations

- 1. Plans for residential developments shall include provisions to ensure preservation of shore vegetation and erosion control during construction.
- 2. Sewage disposal and water supply facilities shall be provided in accordance with state and local health regulations, and shall comply with other local policies.
- 3. Facilities for storm drainage shall be provided separately from sewage disposal systems, and shall be designed to prevent degradation of water quality.

4. Proposal for residential developments shall demonstrate that adequate water supplies area available so that ground water will not be endangered by over-pumping, and that contamination of ground water will not occur.
5. Residential development shall comply with the Clark County Uniform Building Code, Southwest Washington Health District Standards, and Clark County Water Quality Standards.
6. Unless warranted by sufficiently advanced building practices, no development shall be permitted on land which is determined to be unsuitable for reasons of unfavorable topography, unsuitable soils, inadequate water supply, or inadequate drainage.
7. Residential construction over water is prohibited.
8. Residential construction, including sewage disposal systems, in the floodway portion of 100-year flood plain is prohibited.
9. Floating homes shall be located at moorages approved in accordance with the policies for Marinas.
 - a. Water supply and waste disposal facilities shall meet local and state health regulations.
 - b. Floating homes shall not be located over highly productive fish food areas.
10. Lot sizes and siting shall conform to Clark County subdivisions, short plat, septic tank and zoning requirements.
11. Setbacks from the ordinary high water mark shall be a minimum of 35 feet in an Urban Environment, 50 feet in a Rural Environment, and 100 feet in a Conservancy Environment, except in the case of floating homes.
 - a. If there are dwellings on both sides and within 200 feet of the proposed building site with shoreline setbacks less than the required depth for the designated shoreline environment, the shoreline setback for the lot need not exceed the average shoreline setback of the two existing dwellings.
 - b. If there is a dwelling on one side within 200 feet of the proposed building site with a shoreline setback less than the required depth for the designated shoreline environment, the shoreline setback need not exceed the depth of half-way between the depth of the shoreline setback of the existing dwelling and the required shoreline setback.

- c. The shoreline setbacks for residential uses shall apply to all shoreline property, including lots which may have been created prior to the effective date of the Clark County Master Program (December 18, 1974), except that Clark County may honor previously-issued written determinations applicable to pre-existing lots.
- 12. Residential structures in shoreline areas shall not exceed a height of 35 feet above average grade level.
- 13. Use limitations in shoreline environments:
 - URBAN – Permitted Use
 - RURAL – Conditional Use, except single family dwellings, which are permitted
 - CONSERVANCY – Conditional Use, except single family dwellings, which are permitted
 - NATURAL – Prohibited Use

MARINAS

Marinas are facilities which provide boat launching, storage, supplies and services for small pleasure craft.

A. Policy Statements

- 1. The location, construction and operation of marina facilities should be such that fish and other aquatic resources are not destroyed.
- 2. Marinas should be designed to be aesthetically compatible with adjacent areas.
- 3. Marinas should be located and distributed to satisfy both the local and regional needs.
- 4. Moorage facilities should not be located in shallow water embayments with poor flushing action.

B. Regulations

- 1. Marinas shall not be closer than one-half (1/2) mile downstream from any primary domestic or industrial waste outfall.
- 2. Design of marinas shall include an area designated for gas and oil handling separate from main centers of activity in order to minimize the fire and water pollution hazard, and to facilitate fire and pollution control.

3. Access shall be provided to the immediate marina area for emergency vehicles.
4. Motor vehicle parking shall be located as far upland as feasible, and drainage shall be approved by the Director of Public Works.
5. All sewage and liquid waste from marinas shall be treated prior to discharge into any water body.
6. Use limitations in shoreline environments:
 - URBAN – Conditional Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

PIERS

A pier or dock is a structure built over or floating upon the water, used as a landing place for marine transport or for recreational purposes.

A. Policy Statements

1. The use of floating docks should be preferred to the more permanent open-pile piers where conflicts with the intended use and with recreational boaters and fishermen will not be created.
2. Provisions for community piers should be included in proposals for new residential developments along shorelines to prevent the proliferation of single purpose private docks.
3. Criteria should be established for the location, spacing, length and use of docks, and this criteria should be applicable to proposals for private noncommercial docks exempt from the shoreline permit requirement.

B. Regulations

1. Provisions for waste discharge shall be made in all proposals for community boat docking facilities, and shall include oil containment barriers when required by the U.S. Coast Guard under provisions of the Federal Water Pollution Control Act.
2. Use limitations in shoreline environments:
 - URBAN – Permitted Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

JETTIES & GROINS

Jetties and groins are solid structures placed to modify or control sand movement. Jetties normally extend from the shoreline well into the water, obstructing sediment transport and water currents. Groins generally extend from low water line shoreward, creating a barrier to entrap sediment.

A. Policy Statements

1. Jetties and groins should be constructed only for the purpose of navigation improvement, or when the public interest would otherwise be served by the control of sand movement and deposition.
2. Jetties and groins should be located and constructed in a manner which will minimize adverse effects on wildlife propagation and fish habitat.
3. Jetties and groins should be designed so as not to detract from the aesthetic qualities of the shoreline.

B. Regulations

Use limitations in shoreline environments:

URBAN – Conditional Use
RURAL – Conditional Use
CONSERVANCY – Conditional Use
NATURAL – Prohibited Use

BREAKWATERS

Breakwaters are floating or rigid structures extending waterward from the shore, and are designed to protect moorage or shoreline facilities by deflecting floating debris and eliminating wave action.

A. Policy Statements

1. Floating breakwaters should be preferred to rigid fill breakwaters in order to maintain sand movement and fish habitat.

2. Where solid breakwaters are necessary, design modifications should eliminate detrimental effects on sand movement and water circulation.
3. The location and angle of breakwaters should result in maximum protection of shoreline facilities and minimum intrusion onto the water surface.

B. Regulations

1. Breakwaters shall not be permitted where public use of the water surface would be severely restricted.
2. Use limitations in shoreline environments:
URBAN – Conditional Use
RURAL – Conditional Use
CONSERVANCY – Conditional Use
NATURAL – Prohibited Use

BULKHEADS

Bulkheads are structures erected parallel with and near the high-water mark for the purpose of protecting adjacent uplands from erosive action of waves and currents.

A. Policy Statements

1. Bulkheads should be located and constructed so that adverse effects on the natural shoreline will be minimized.
2. Bulkheads should be designed and constructed in a manner which will minimize damage to the fisheries resources, with open-piling design preferable to solid construction.
3. Proposed bulkheads which would limit access to publicly owned shorelines should be discouraged.
4. Bulkheads should be designed to be visually compatible with the surroundings and should not detract from the aesthetic qualities of the shoreline.

B. Regulations

1. Bulkheads shall be constructed only when necessary to protect the bank from erosive action of the water.

- a. Bulkheads proposed for the aesthetic improvement of the shoreline shall be considered only when the general public would benefit from such improvements.
 - b. Bulkheads shall not be constructed for the purpose of creating land by filling behind the bulkhead.
2. Construction of bulkheads shall be in accordance with standards set by state and local health agencies.
3. Use limitations in shoreline environments:
 - URBAN – Permitted Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

SHORELINE PROTECTION

Shoreline protection refers to the various means of reducing damage caused by floods of high water levels, and includes such works as the construction of dikes, channelization, and the placement of rip-rap or other methods of bank stabilization.

A. Policy Statements

1. Bank stabilization measures, such as rip-rapping, structural works, etc., should be located, designed and constructed as to avoid the need for channelization and to protect the natural character of the streamway.
2. Dikes and other flood protection facilities should be placed to the landward of the streamway and its independent swamps, marshes and wetlands, unless contravening action is demanded by state or regional needs.
3. Flood protection measures which result in channelization should be avoided.
4. Proposals for shoreline protection should clearly demonstrate that life, property and natural resource values within the stream system will not be endangered.

B. Regulations

1. Rock or other suitable material which will remain stable shall be used for bank protection.

2. Material shall not be removed from the stream bed to be used for bank protection.
3. Tires, car bodies and other scrap materials shall not be used for bank stabilization.
4. Attempts to reclaim land which has been eroded away shall not be accomplished by placing rip-rap into the stream way.
5. Use limitations in shoreline environments:
 - URBAN – Conditional Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

LANDFILL

Landfill is the creation of dry upland area by the deposition or placement of dredge spoils or earth into a wetland area.

A. Policy Statements

1. Shoreline fills and cuts should be permitted only when consistent with the public interest, i.e. they must clearly demonstrate the need for such a project and then only when upland sites are unavailable.
2. Shoreline fills and cuts must recognize the potential damage to natural resources and ecological values, and should be designated and located to minimize damage to the same.
3. Priority should be given to landfills intended for water dependent and/or public use.

B. Regulations

1. Landfill projects shall not result in significant reduction of total water surface or restriction of navigation, and shall not impede water flow and circulation.
2. Shoreline fills shall consist of material which will not reduce water quality, and shall not extend beyond ordinary high water mark.

3. The perimeter of all fills shall be provided with a means of preventing erosion and siltation through use of retaining walls, vegetation or other suitable means.
4. Landfill projects must not create a hazard of fish and wildlife habitat, nor shall it endanger adjacent life or property.
5. Use limitations in shoreline environments:
 - URBAN – Conditional Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

SOLID WASTE DISPOSAL

“Disposal” refers to the treatment, utilization, processing or deposition of solid waste (WAC 173-301-110).

A. Policy Statements

Solid waste disposal, uncontrolled, is of vital importance to all people and communities, and for that reason should not be located on shoreline areas or on flood plains.

B. Regulations

1. All solid waste handling including, but not limited to, transfer stations, recycling, solid waste salvage and volume reduction shall be permitted in shoreline areas only when the nature of the material handled is such that ground and surface water will not become contaminated; furthermore, only when it can be shown that all state and local health, solid waste management and zoning regulations are met.
2. Use limitations in shoreline environments:
 - URBAN – Conditional Use
 - RURAL – Conditional Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use

AQUACULTURE

Aquaculture refers to the rearing and farming of aquatic plants and animals, and (???) research operations and the placement of structures or facilities associated with such activities.

A. Policy Statements

1. Aquaculture facilities should be designed so as to minimize both visual impact and detrimental effects on the quality of the shoreline.
2. As conditions permit, structures for aquaculture should be placed underwater to avoid interference with navigation and visual enjoyment of the shoreline.
3. When appropriate, public access, visitor tours and research information should be made available at aquaculture stations.

B. Regulations

1. Aquaculture operations shall be located in areas removed from navigational corridors.
2. Construction of facilities shall include provisions for solid and liquid waste disposal methods that will maintain the water quality.
3. Use limitations in shoreline environments:
URBAN – Conditional Use
RURAL – Conditional Use
CONSERVANCY – Conditional Use
NATURAL – Prohibited Use

ARCHEOLOGICAL AREAS & HISTORIC SITES

Archeological and historic sites, abundant but diminishing throughout Clark County, are non-renewable resources which provide scientific, social, cultural and educational opportunities for present and future generations.

A. Policy Statements

1. Proposals for major shoreline developments should include an evaluation of the historic and archeological value of the site.

- a. Conditions of approval for appropriate shoreline permits should contain provisions for an archeological site inspection.
 - b. Development which might destroy archeological or historical sites should be delayed until interested agencies or organizations are given the opportunity to recover data in an expedient fashion or purchase the site. Proper credit should be reflected for early notification of potential archeological value.
2. Potentially valuable historic and archeological sites should be identified and, when appropriate, preserved for scientific study, public observation or salvaging of cultural data.

B. Regulations

1. All shoreline operations shall be in conformance with the Natural Historic Preservation Act of 1966 and Chapter 43.51 RCW which provide for the protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures and other features of historical, archeological or cultural significance.
2. Developers shall be required to immediately notify the administering agencies of any archeological or historic data uncovered during excavation.
3. Developments which might destroy archeological or historical sites shall be delayed for a period not to exceed 30 days so that interested agencies and individuals can begin negotiation.
4. The exploration, excavation or development of an archeological or historical site shall be subject to the following limitations in shoreline environments:
URBAN – Conditional Use
RURAL – Conditional Use
CONSERVANCY – Conditional Use
NATURAL – Conditional Use

RECREATION

Recreation is the refreshment of body and mind through forms of play, amusement or relaxation.

A. Policy Statements

1. Public and semi-public recreational uses of the shoreline should be considered before issuing a shoreline permit for any use of the shoreline.
2. Recreational opportunities should be provided in a manner that would permit access to a combination of linear shoreline easements, open space areas and parking facilities.
3. Appropriate shoreline proposals should consider the possibility of providing linear access routes in the form of trails or roads to promote the linkage of shoreline parks and public access points.
4. Recreational sites should be developed with a minimum of disturbance to the environmental quality and natural resources in the area.
5. Scenic views and vistas should be developed with a minimum of disturbance to the environmental quality and natural resources of an area.
6. Aesthetic and recreational waterfront properties should be occupied by uses which will enhance those aesthetic values.
7. Recreational developments should be diversified and distributed so as to satisfy the demands of various age and interest groups in nearby population centers.
8. The location and availability of recreational opportunities should be within proximity of the user population.
9. Recreational facilities should be compatible with the designated environments.
10. Motorized vehicle traffic shall be prohibited on fragile shoreline areas.

B. Regulations

1. Parking areas shall be located inland away from the immediate shoreline, with pedestrian trails or walkways providing access to the water.

2. Provisions shall be made for the protection of water areas from drainage and surface runoff in all recreational developments requiring the use of fertilizers and pesticides in areas adjacent to shorelines, such as in play fields and golf courses.
3. Recreational sites with intensive use shall be provided with sanitary facilities in accordance with public health standards and without adversely altering the natural features attractive for recreational uses.
4. Use limitations in shoreline environments:
 - URBAN – Permitted Use
 - RURAL – Permitted Use
 - CONSERVANCY – Conditional Use
 - NATURAL – Prohibited Use